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HISTORICAL RECORDS

OF THE

FAMILY OF LESLIE

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HISTORICAL RECORDS

OF THE

FAMILY OF LESLIE

FROM

1067 TO 1868-9

Collected from Public Records and Authentic Private Sources

BY

COLONEL LESLIE, K.H.

OF BALQUHAIN

31314

VOL. II.

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CHAPTER I.

SIR GEORGE LESLIE,

FIRST DOMINUS OF ROTHES.

Sir George Leslie, First of Rothes.

On the death of David de Leslie, IX. Dominus Ejusdem, and the last Dynasta de Leslie, without male issue in 1439, the extensive possessions of the original male stock of the Leslies were divided. David de Leslie, IX. Dominus Ejusdem, left to his daughter Margaret the barony of Leslie in the Garioch, and she having married Alexander Leslie, son of Sir Andrew Leslie, third Baron of Balquhain, their progeny became Leslies of Leslie, or of that Ilk; while the estates of Ballinbreich and others went, agreeably to the family settlements, to a branch of the Leslie family which was afterwards raised to the dignity of Earls of Rothes. 1439.

It has been already shown, in the records of Andrew Leslie, VIII. Dominus Ejusdem, by charters and other documents, that in the year 1390 this Andrew Leslie, VIII. Dominus Ejusdem, had resigned a part of his estates to his son

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Norman, who had an only son David, who had gone abroad to the holy wars; and who, having been absent for several years without having been heard of, was supposed to be dead. In consequence of the supposed death of his son David, Norman Leslie entailed the estates which his father had resigned to him on his own heirs-male, and failing them, on Sir George Leslie, whom he styles his consanguineus or cousin. Norman Leslie afterwards got a charter from King Robert

1390. III., dated at Scone, 18th August 1390, confirming to him, Norman de Leslie, son and heir of Andrew de Leslie, Dominus Ejusdem, the barony of Ballinbreich, in Fife; the barony of Lour and Dunlopy, in Forfarshire; the lands of Cushny and Rothynorman, in Aberdeenshire; proceeding upon the said Norman's own resignation in the hands of the deceased King Robert II. in the last council held by him at Linlithgow, in

1389. 1389; the said baronies and lands to be holden by the said Norman de Leslie and the heirs-male of his body lawfully begotten; whom failing, by Sir George de Leslie, knight, and the heirs-male of his body; whom failing, by the legitimate heirs whomsoever of the said Norman de Leslie, in fee and heritage—reserving, nevertheless, to the said Andrew de Leslie, the said Norman's father, the free tenement and liferent of the whole foresaid baronies and lands, during all the days of his life.

See App. No. VIII. Vol. I.

Norman de Leslie died soon after this transac-

tion, during the lifetime of his father Sir Andrew, and there being still no tidings of David, his son and heir, Sir George Leslie—acting on the supposition that David was dead—got himself served heir of entail to his cousin Norman. This is proved by a precept furth of the Chancery, dated 7th January 1391-2, Robert III. anno regni 2, proceeding upon the retour of Sir George Leslie, knight, consanguineus or cousin of the deceased Norman de Leslie, knight, as nearest heir of entail to the said deceased Norman de Leslie in the barony of Ballinbreich and others, saving every one's right, and taking security for 200 merks as the relief of the said barony due to the king. It is likewise established by an extract from the Chamberlain's accounts, rendered by Dominus Alexander Fraser, vicecomes de Aberdene, 1391-2, to the effect that forty pounds due to the king as the relief of the barony of Cushny, and twenty pounds due for the barony of Rothynorman, on account of the death of Norman de Leslie, lord of these lands, should not be charged at present, because Sir Andrew de Leslie had free possession of the said baronies for his life, but be postponed until Sir George Leslie—now holding the said lands in fee—should have free possession of the same, when the sheriff for the time being would demand payment.

1391-2.

Although Sir George Leslie had been served heir of entail to Norman de Leslie in his estates, yet he did not get possession of them—first, be

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cause Sir Andrew de Leslie, who had retained the liferent of them, lived for several years after the death of his son Norman, until about 1398; and secondly, because Norman's son David, the true heir of entail, who was supposed to be dead, returned to Scotland about the time of, or shortly after, his grandfather's death, and recovered possession of the family estates, as is proved by an inquest held before the Sheriff of Fife and a jury—by which David de Leslie was declared to be the next heir of entail to his grandfather, the deceased Sir Andrew de Leslie, in the barony of Ballinbreich and others. It was only after
1439. David's death, in 1439, without male issue—nearly fifty years after the date of the destination made by Norman de Leslie in favour of Sir George Leslie—that Sir George's son Norman succeeded to the barony of Ballinbreich and others mentioned in the charter.

But though the Rothes branch did not come into immediate possession of the estates mentioned in the entail made by Norman de Leslie in 1390, yet we find, by a charter dated at Aberdeen, 24th
1396. October 1396, that Andrew de Leslie, miles, Dominus Ejusdem, Norman's father, disponed to his beloved cousin, "carissimo consanguineo meo," Sir George Leslie, knight, Dominus de Rothes, all right which he had, or could in any manner have, in the barony of Cairney in the sheriffdom of Perth; and Sir George Leslie was infefted in

the said barony of Cairney between the eighth and fifteenth years of the reign of King Robert III., A.D. 1397-1404.*

This Sir George Leslie, styled Dominus de Rothes in the above deed, was the first of the family of the Leslies of Rothes. In Martin of Clermont's Manuscripts, in the Advocates' Library, Edinburgh, it is stated that George de Leslie is designed Dominus de Rothes in a contract of marriage betwixt his sister Mary and a gentleman of the name of Elphinstone. Others say that the contract of marriage in which George de Leslie is styled Dominus de Rothes is one between his niece, Elizabeth Elphinstone, and one of the name of Kinninmond, dated 26th April 1392. In either case, this is the first occasion 1392. that we find him designed as Dominus de Rothes. But how he acquired the barony of Rothes—whether by succession, marriage, or purchase—has not been ascertained by any record.

By the documents above quoted, Sir George Leslie was brought in as heir of entail to the barony of Ballinbreich and others, in case of the failure of the heirs-male of Sir Andrew de Leslie, VIII. Dominus Ejusdem, and of his son Norman. But what was the exact degree of relationship between Sir Andrew de Leslie, VIII. Dominus

* Original Charter in Charter-room of the Earls of Rothes at Leslie House; and Robertson's *Index of Missing Charters*, No. 13.

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Ejusdem, and Sir George Leslie of Rothes, or who was Sir George's father, has not been discovered. Sir Andrew and his son Norman, in their charters, call Sir George Leslie their cousin, and it is probable that Sir George was the grandson of Sir Andrew de Leslie, VI. Dominus Ejusdem, and the son of a brother of Andrew de Leslie, VII. Dominus Ejusdem, the father of Sir Andrew de Leslie, VIII. Dominus Ejusdem. Crawford's *Peerage* merely states that Sir George Leslie succeeded as heir of entail to Norman de Leslie in the barony of Ballinbreich; and Douglas, in a note, vol. ii. p. 426, says, "The degree of relationship to Norman de Lesley does not appear from the Charter of Balnebrech, &c., 1390; probably he (*i.e.* Sir George Leslie) was his cousin-german." In Martin of Clermont's *Genealogical Collections* several pedigrees are given to elucidate this matter, but none of them can stand the test of close investigation.

Sir George Leslie of Rothes seems to have been a man of great consideration, and to have been held in much esteem; we find him more or less engaged in most of the principal public transactions of the period.

In the indenture between Sir Andrew Leslie, VIII. Dominus Ejusdem, and Norman, his son and heir, on the one part, and Andrew Leslie, Dominus de Syde, third Baron of Balquhain, on the other part, dated 25th November 1390,

1390.

Sir George Leslie, First of Rothes.

Sir Andrew and Norman Leslie oblige themselves to procure the confirmation of the said indenture by Sir George Leslie, knight. Dominus Georgius de Leslie super Leven was Sheriff of Fife in 1396.* 1396.

Alexander Leslie, Earl of Ross, son of Walter de Leslie and Euphemia Countess of Ross, resigned the barony of Fythkill, now called Leslie, in Fife, into the hands of the king, Robert III., by a deed dated at Perth, 4th February 1398, and 1398. the king next day, 5th February, granted a charter of the said barony, dilecto consanguineo nostro Georgio de Lesley, militi, et Elizabeth sponse sue nepoti nostre in feodo et hereditate, to be holden of the king for the payment of a pair of gloves.† Alexander de Leslie, Earl of Ross, granted another charter, dated 8th November 1398, to 1398. his beloved cousin George de Leslie, knight, Dominus de Rothes, for his good and faithful counsel and service, and in exchange for certain lands lying in the Mearns, of all the said earl's lands of Eily and Bomain and Strachen, with their pertinents, lying in the barony of Kincardine, and within the sheriffdom of the Mearns, to be holden of the said earl in free farm. This charter was confirmed by a charter of King Robert III., dated at Scone, 4th March 1400, whereby the 1400. king confirms the lands of Woodfield and Pitna-

* Robert Sibbald's *History of Fife*, printed at Edinburgh by John Reid in Bell's Wynd, anno 1682.

† Robertson's *Index of Charters of King Robert III.*, p. 146.

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moon, the mill of Kincardine, the lands of Fettercairn, Eily, and Bomain, in the Mearns, to George de Leslie, in consideration of his having advanced to Alexander, Earl of Ross, in his great necessity, the sum of 200 merks to relieve the lands and earldom of Ross, then in the hands of the king, the superior thereof. King Robert III. likewise confirmed another charter of nearly the same effect, granted by Alexander de Leslie, Earl of Ross, to his well-beloved cousin, Sir George Leslie of Rothes, for his good counsel and services, of all the lands of Woodfield, Fruchy, Eily, Balmain, and Strachen, in the barony of Kincardine, within the shire of the Mearns, and for which and others the said Sir George Leslie paid to the said earl of Ross, in his great need, 200 merks Scots, to satisfy the king for the relief of the earldom of Ross; the said lands to be holden of the said earl and the heirs of his body, whom failing, of the king, in fee and heritage for ever, giving therefor yearly three suits at three head-courts to be held at Kincardine, for the wards, marriages, reliefs, and suits of courts and other services required of the said lands—dated at Perth, 27th February 1400; the charter of confirmation is dated at Scone, 4th August 1400. After this period Sir George Leslie seems to have assumed the designation of Dominus de Fythkill, instead of Dominus de Rothes. John Mowat, son and heir of William Mowat, sometime Dominus de Fowlis Mowat,

1400.

granted a tack of all his lands of Fowlis Mowat, lying in the earldom of Mar and shire of Aberdeen, to the noble and potent George Leslie, knight, Dominus de Fythkill, and his heirs and assigns, for nineteen years, for a certain sum of money paid to him in his urgent need by the said Sir George Leslie—dated at Cupar, 12th January 1401. Sir George de Leslie was one of the prisoners taken at the battle of Homildon in 1402. Sir William Dishington, knight, Dominus de Ardross, resigned certain lands in Fythkill into the hands of Sir George de Leslie, knight, Dominus de Fythkill, superior thereof, in exchange for other lands. In the instrument of resignation, dated 31st July 1409, Sir George de Leslie is designed Sheriff of Fife. 1401. 1402. 1409.

We find Sir George Leslie of Rothes as a witness to the following public documents:—a decision given by Dominus Jacobus de Lindesay, Dominus de Crawford, between Thomas de Melgdrum, Dominus de Achyene, and Johannes de . . . lch . . . , concerning the possession of the lands of Quyltis, and a net on the river Dee, dated at the hospital of St. James, at Perth, 1st April 1387;* the settlement of a dispute between the Bishop of Moray and the Earl of Moray, and the Earl of Moray and the Bishop of Moray, Robert, Earl of Fife and Menteith, Governor of the Kingdom of 1387.

* *Collections for Shires of Aberdeen and Banff*, p. 273.

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Scotland, and his council, dated at Inverness, the vigil of the apostles Simon and Jude, at Inverness, 27th October 1389; a charter granted by William de Lindesay, Dominus de Byres, in favour of

1399. William de Elphinston, in 1399;* a charter granted by Robert, Duke of Albany, Regent of Scotland, confirming to Robert de Keith, knight, the lands of the barony of Keith, with the office of Marischal of Scotland, dated at Perth, 12th

1406. March 1406;† a charter granted by Robert, Duke of Albany, the Regent, confirming to Robert de Keith, knight, the office of Sheriff of Kincardine-

1406. shire, dated at Perth, 12th March 1406;‡ a charter by Robert, Duke of Albany, confirming a charter granted by William de Keith, Knight Marischal, and Margaret his spouse, of the office of Sheriff of Kincardine, in favour of their son, Robert de Keith, Dominus de Troup, dated at Aberdeen,

1406. 20th September 1406; a charter by Robert, Duke of Albany, to John Ramsay de Culuthy,

1406-7. knight, dated at Perth, 27th February 1406-7;§ a charter by Robert, Duke of Albany, confirming a charter of the lands of Easter Leky in Stirlingshire, granted by John de Doles of Easter Leky, in favour of Murdoch de Leky, dated 10th Feb-

1406-7. ruary 1406-7;‖ a charter by Robert, Duke of

* *Miscellany of the Spalding Club*, vol. v. p. 317.

† *Registrum Magni Sigilli*, p. 224, No. 11.

‡ *Ibid.* p. 223, No. 10. § *Ibid.* p. 225, No. 13.

‖ *Ibid.* p. 235, No. 30.

Albany, confirming a charter of the barony of Obeyn in Aberdeenshire, granted by William de Keith, Marischal, and his spouse, in favour of John, Dominus de Buchan, Grand Chamberlain, dated at Aberdeen, 2d May 1407; a charter by Robert, Duke of Albany, of the lands of Tuchras, in favour of John, Dominus de Buchan, the Seneschal, dated at Falkland, 18th May 1407;* a charter by Robert, Duke of Albany, to John Forster, and Margaret his wife, dated at Perth, 18th March 1407;† a charter by Robert, Duke of Albany, confirming a charter granted by Thomas Mantalent de Halsyngton to William Watson de Cranyston, dated at Inchegall, 7th September 1407; a charter by Robert, Duke of Albany, to Alexander de Seton, and Elizabeth de Gordon his spouse, daughter and heiress of the late Sir Adam de Gordon, and to the heirs to be begotten between them, of the barony of Huntly and the barony of Gordon in Berwickshire, and others—also of the lands of Strathbolgie, Beldygordon, and others, in the shire of Aberdeen, proceeding on the resignation of the said Elizabeth Gordon, dated at Perth, 20th July 1408;‡ a charter by Robert, Duke of Albany, to John de Hawdene, of the lands of Hawdene in Roxburghshire, dated at Perth, 25th October 1407;§ a charter by

1407.

1407.

1407.

1407.

1408.

* *Registrum Magni Sigilli*, p. 229, No. 19.

† *Ibid.* p. 233, No. 26. ‡ *Ibid.* p. 235, No. 32.

§ *Ibid.* p. 238, No. 39.

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Robert, Duke of Albany, confirming a charter of the lands of Freswick and others, in the county of Caithness, granted by William de Monte Alto to his son, John de Monte Alto, dated at Menteith,

1410. 18th May 1410. William Chalmers was served heir to his mother, Helen Fitzpatrick, in the superiority of certain lands, before John Lumysden, bailie of Sir George de Leslie, Dominus de

1411. Fythkill, 5th February 1411.

Sir George Leslie married Elizabeth Hay, daughter of Sir Thomas Hay of Erroll, Constable of Scotland, by Lady Elizabeth Stewart, daughter of King Robert II. by Elizabeth Muir, his first wife. Thus Elizabeth Hay, wife of Sir George Leslie of Rothes, was a niece of King Robert III., who granted a charter of the barony of Fythkill to his beloved cousin Sir George Leslie, knight, and to his niece Elizabeth, spouse of the said Sir

1398. George Leslie, dated at Perth, 5th February 1398.

By Elizabeth Hay Sir George Leslie had issue a son—

I. NORMAN, his successor.

Sir George Leslie, Dominus de Rothes et de

1411. Fythkill, died in 1411, and was succeeded by his son, Norman Leslie, second Dominus of Rothes.

NORMAN LESLIE,

SECOND DOMINUS OF ROTHES.

NORMAN LESLIE, son of Sir George Leslie, first Dominus of Rothes, by his wife, Elizabeth Hay of Erroll, succeeded as second Dominus of Rothes on the death of his father in 1411. 1411.

Norman de Leslie de Fythkill had a safe-conduct into England to meet and attend the king, James I., dated 13th December 1423, and he was 1423. one of the supplementary hostages for the ransom of King James I., 16th July 1425. He was 1425. liberated, 9th November 1427, when Henry de 1427. Douglas, Lord of Lochleven and Logtown, went in his place. James de Cochrane granted a letter of reversion to Norman de Leslie de Rothes, obliging himself to resign all rights which he had in two annual rents within the barony of Cairney, dated 21st May 1428.* John Wishart, rector 1428. of the kirk of St. Madock, made a complaint before the Sheriff of Perth, against Norman Leslie of Rothes, for forethought felony, for which the said Norman and those adhering to him were publicly put to the horn, by John Spense, depute of the Earl of Athole, Sheriff of Perth, 14th April 1433; and on the following day, Norman Leslie 1433. compeared personally before the said sheriff-

* Original in Rothes Charter-room.

CHAP. I.

Norman Leslie, Second of Rothes.

depute, at the head court held after Pasch, to undergo the common law. Robert Graham of Kynpount, bailie of Norman de Leslie de Rothes, granted a precept of sasine, in favour of Lucas Strevlyne or Stirling, of Ratherne, in the lands of Kere, which had been mortgaged by Norman Leslie to Lucas Strevlyne, dated 18th December
1433. 1433; sasine followed thereon, 22d January 1434.*

David de Leslie, IX. Dominus Ejusdem, and last Dynasta de Leslie in the direct line, died in
1439. 1439. On this event, the barony of Leslie, in the regality of the Garioch and shire of Aberdeen, devolved upon his only daughter, Margaret, and the other lands and baronies, Ballinbreich in Fifeshire, Balmain in Forfarshire, and others,
1390. which had been entailed in 1390, by David's father Norman, upon Sir George Leslie of Rothes, now fell to Norman de Leslie de Fythkill and Rothes, the son and heir of Sir George Leslie of Rothes. This is established by a brieve of inquest issued by the Chancery to inquire what lands the deceased David de Leslie, knight, Dominus Ejusdem, consanguineus or cousin of Norman de Leslie, the bearer thereof, died vest and seized in; and whether the said Norman de Leslie of Rothes and Fythkill was nearest and lawful heir of entail to the said David de Leslie deceased, by reason of the deed of entail executed

* Original in Rothes Charter-room.

by Norman, the father of the deceased David, in favour of Sir George Leslie of Rothes, father of Norman Leslie of Rothes, the bearer. The brieve is dated at Edinburgh, 2d May 1439. The inquest was held at Cupar in Fife, 19th May 1439, before Henry Warden, sheriff-depute of Fife, and a jury; when it was found that the deceased David de Leslie, knight, consanguineus of Norman de Leslie of Rothes and Fythkill, died vest and seized in the barony of Ballinbreich; that the said Norman was nearest lawful heir of entail to the said deceased David; that the barony of Ballinbreich was worth two hundred merks per annum; and that the said barony was in the king's hands, by the death of the said David de Leslie, in default of the true heir not following forth his right by the space of two months. George Leslie, son and heir of Norman Leslie of Rothes and Fythkill, caused this brief of inquest and retour of Norman Leslie to be copied in the form of a transumpt, which was done in the Chancery-house, Edinburgh, 22d May 1439, from which it would appear that Norman Leslie died soon after his succession to the barony of Ballinbreich and the other lands and baronies belonging to the original family of Leslie.

1439. 1439.

Norman Leslie of Rothes and Fythkill married, in 1415, Christian Seton, daughter of Sir John Seton of Seton, for which marriage a papal dispensation was obtained in September 1414, from

1415. 1414.

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Pope Benedict XIII., permitting the marriage notwithstanding that the parties were within the fourth degree of consanguinity. The dispensation was addressed to the Bishop of St. Andrews, and set forth that it was represented to his Holiness on the part of a nobleman, Norman de Leslie, and a noble woman, Christian de Seton, that they were desirous of being married, but because they stood in the fourth degree of consanguinity, they could not marry unless they obtained a dispensation from his Holiness; wherefore they prayed that his Holiness would be pleased to grant them a dispensation. The Pope granted the prayer of the petition, and charged the Bishop of St. Andrews, that if it were as represented with the said Norman and Christian, and the said Christian were not forced to the proposed marriage, that the consanguinity of the parties should be no hindrance to their contracting marriage, the apostolic authority dispensing with the impediment. The dispensation is dated at Rome, IIII. nones of September, the twenty-second year of the pontificate of Pope Benedict XIII., A.D. 1414. It has appended a seal, having on one side the heads of Saints Peter and Paul, with the letters S.P.E. S.P.A. over, and on the other side Benedictus p. p. XIII.*

1414.

Norman Leslie was related in the fourth degree

* Stewart's *History of the Stewarts*, p. 442.

of consanguinity to Christian Seton by the maternal side, he being great-grandson of King Robert II., and her father, Sir John Seton, being grandson of Lady Christian Bruce, sister of King Robert Bruce, married to Sir Christopher Seton. Sir John Seton was likewise descended from Lady Isabella Bruce, another sister of King Robert Bruce, married to Thomas, Earl of Moray.

By Christian Seton Norman Leslie had a son—

GEORGE, who succeeded him, and was created Earl of Rothes.

Norman Leslie, second Dominus of Rothes, died in 1439, and was succeeded by his son George Leslie, third Dominus of Rothes, created Earl of Rothes in 1457. 1439.

GEORGE,

FIRST EARL OF ROTHES.

George, First Earl of Rothes.

GEORGE LESLIE, son of Norman Leslie, second Dominus of Rothes, by Christian Seton his wife, succeeded his father in 1439. He was born about 1417, and through his father and mother he was descended from both the royal families of Bruce and Stewart. 1439.

It would appear that George Leslie of Rothes was created Earl of Rothes by King James II. before 20th March 1457, as by a charter of that date, the king, for the singular favour which he did bear to his beloved cousin, George, Earl of 1457.

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George, First Earl of Rothes.

Rothes, Lord Leslie, granted and confirmed to the said Earl the lands and barony of Ballinbreich, the lands and barony of Tacis in the shire of Fife, the lands and barony of Cairny in the shire of Perth; the lands and barony of Fethus, and the lands of Lowr, Taveret, and Tavat, in the shire of Angus; the lands and barony of Cushnie, and the lands and barony of Rothienorman, and the lands and barony of Fowlis Mowat, in the shire of Aberdeen; the lands and barony of Rothes in the shire of Elgin; the town of Leslie, in the lordship of Leslie in the shire of Fife—all united into one free barony, called the barony of Ballinbreich, to be holden of the king and his successors.* According to Fordoun, vol. ii. p. 452, the lordship of Leslie de Leven was created in
1445. 1445.

George Leslie was served heir to his father, Norman de Leslie, knight, in the eighth part of the lands of Innergilly, valued at twenty shillings yearly in the time of peace, and forty shillings in the time of war, at St. Andrews, 3d February
1440. 1440, and the said lands were declared to be held of the Bishop of St. Andrews. A transumpt of the service of George Leslie, Dominus de Leslie, as heir to his father Norman, is dated at Faulk-
1440. land, 21st March 1440, under the hand of John Lawson, presb. licent. and notary-public. George

* Charter in Charter-room of Earls of Rothes.

Leslie of Leslie and Ballinbreich granted to Walter Ogilvie of Bewfort the lands of Dunboug, which were given to the said Walter by the Earl of Crawford, to be holden of the said George Leslie; and Walter Ogilvie obliged himself to exchange the said lands of Dunboug for others in the lordship of Fettercairn; and it was agreed that Walter Ogilvie should become special man-retinue to the said George Leslie, both in peace and war, and thereon he got letters of retinue; likewise, Walter Ogilvie obliged himself to reset to George Leslie his house in Banff as often as he should need it, and that he would travel once with the said George Leslie, at his own cost, to the Lord of Gordon, to demand the recovery of seven davviks of land, and if these could not be recovered by treaty, Walter Ogilvie bound himself to take all part with George Leslie against the Lord of Gordon—dated at Lindores, 23d March 1441.* George de Leslie, Dominus de Fythkill, granted a charter, 22d July 1442, in favour of John de Leslie, his natural brother, of the lands and barony of Fowlis Mowat, in the earldom of Mar, for homage and service to be done to the said George Leslie and his heirs; reserving to the said George Leslie and his heirs the top of the hill on the north side of the dwelling-house, as a place for keeping their courts; 1441. 1442.

* Original in Charter-room of Earls of Rothes.

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the said lands to be holden by the said John Leslie and his heirs-male lawfully begotten, of the said George Leslie and his heirs whomsoever, giving yearly therefor to the Earls of Mar, the lords superior thereof, three suits at three head courts, the service used and wont, and reserving to George Leslie and his heirs the wards and reliefs. Robert, Earl of Mar, Lord Erskine, superior of the said lands, confirmed this charter,

1442. 10th August 1442. George Leslie, super Leven, Dominus Ejusdem, granted a charter to Lucas Stirling of Bonchquhings, of the lands of Cock-law in Fife, lying within the barony of Tacis, for his good counsel and service, to be holden in fee

1448. and heritage, 6th May 1448. George de Leslie of Rothes resigned into the hands of King James

1448. II., 7th May 1448, the half of the lands of Keir in favour of Lucas de Stirling; and in letters of provision granted by Lucas de Stirling, George Leslie is designed as Dominus de Leslie super Leven, and the lands of Fythkill are called Leslie, which name they still retain. Lucas de Stirling resigned into the hands of George, Lord Leslie of Leveyn, his lord, all his lands of Kynyhachy, and the hills of Balmyal in Fife, within the barony of Leslie, in favour of William de Stirling, his son, to be holden of the said George, Lord Leslie—dated at Leslie, the lord's chief place of the same

1448. barony, 6th May 1448. George, Dominus de Leslie super Leven, son of Norman, son of Sir

George de Leslie, knight, made a renunciation of the lands of Balvard in 1450. James II. granted a charter, dated at Perth, 8th January 1455, to George, Lord Leslie, of the lands and barony of Tacis in Fife, incorporated in the barony of Leslie, formerly called Fythkill. John Lundin of that Ilk resigned his lands of Drumdin, in the barony of Leslie in Fife, in favour of George, Lord Leslie, the superior thereof, 14th January 1455; and the 1455.
said John Lundin, being asked by Alexander Lumsden, rector of Flisk, if he made this resignation willingly, notwithstanding that he was within the castle of Leslie at the time of its execution, answered that he came freely, and that it was not through force, or fear, or being misguided, that he made the resignation. George, Earl of Rothes, got a charter, dated 21st March 1457, 1457.
erecting the town of Leslie Green into a free burgh of barony. George, Earl of Rothes, granted a charter, 10th April 1457, of the lands 1457.
of Kincaldrun, in the barony of Lowr, in the shire of Forfar, in favour of Alexander Guthrie of Guthrie, and Marjory his spouse. George, Earl of Rothes, having by the hand a discreet man, Sir Andrew Leslie, he presented him to John, Bishop of Moray, that he might be admitted to the chapel of the Hospital of St. Nicholas, near the water of Spey, whereof the earl was patron. The bishop gave collation to the said Andrew, and put him in possession by delivering to him a ring,

CHAP. I.

George, First Earl of Rothes.

11th April 1459. Nicholas de Fairlie, Dominus de Lumbaney, granted an annual rent of five merks out of the lands of Fairlie, in Fife, to George, Earl of Rothes, his most singular master, for his help and assistance many times afforded

1459. to him—dated at Rothes, 20th December 1459. Nicholas de Fairlie resigned the said grant of five merks in the hands of Alexander de Lawrick, de Eodem, his superior, who delivered the said annual rent to George, Earl of Rothes, and inducted him in the same by delivering to him one penny silver, and shutting him up in one of the houses upon the lands of Fairlie, 11th March

1460. 1460. George, Earl of Rothes, obtained an instrument against Walter Ogilvie of Adrass, to receive certain lands in the barony of Fettercairn, in exchange for the lands of Dunboig and Country Hills, according to the obligation entered into by the said Walter Ogilvie—instrument dated 11th

1461. May 1461. George, Earl of Rothes, obtained an instrument at Edinburgh, in presence of the king, James III., and Gilbert, Lord Kennedy, Lord Justiciary, bearing that the said earl compeared personally to answer for traitorous counterfeiting of an acquittance under the seal of King James II. for the sum of two hundred merks. The earl altogether denied the charge, and submitted to the verdict of the assize of the lords. The lords pronounced the Earl of Rothes to be innocent and free of the said crime, and he received under

the Great Seal litera absolutionis de forisfactura, 15th October 1464. King James III. granted a discharge, dated at St. Andrews, 2d November 1464, to George, Earl of Rothes, for five hundred merks owing to the king at the term of Martinmas, for the ward of the lands of Fethercairn, and for other causes. George, Earl of Rothes, granted a presentation addressed to a venerable and circumspect man, Master Alexander Vaux, canon of the Cathedral kirk of Aberdeen, and vicar-general of Thomas, Bishop of Moray, then residing abroad, bearing that the rectory of the parish kirk of Cushney, in the diocese of Aberdeen, belonged to the earl's presentation, and to the vicar's collation in virtue of his office, when the said rectory should become vacant, and that, by the resignation of Sir William Leighton, last possessor thereof, the said rectory was vacant; the earl did therefore present a venerable and discreet man, John Lumsden, clerk of the diocese of St. Andrews, to the worshipful vicar's circumspection, humbly requiring that he would admit the said John Lumsden, the presentee, to the said rectory, with all its rights and pertinents, and give him collation thereof, with real and actual possession, and defend him therein, and do every other thing that was incumbent on him to do by reason of his office, and to silence gainsayers, if any there were, by ecclesiastical censures; dated at Ballinbreich, 2d June 1466. Walter Lindsay of

1466.

CHAP. I.

George, First Earl of Rothes.

Benford granted a letter of reversion, dated at Dundee, 8th February 1471, bearing that John Leslie of Fesky, having resigned to George, Earl of Rothes, half of the lands of Fesky, and half of the lands of Woodfield in the barony of Fettercairn, and that the said earl had given to the said Walter Lindsay the said lands, and the said Walter bound himself to renounce the said lands in favour of the said John Leslie; and if the said John Leslie failed to redeem the said lands, then the said Walter bound himself to resign them in favour of the said Earl of Rothes. King James III. granted a charter, dated at Edinburgh, 8th

1476. February 1476, to George, Earl of Rothes, of the lands of Woodfield, Fesky, Pitnamoon, Mill of Kincardine, and the barony of Fettercairn, and the lands of Eily and Balmain, and others, which the said earl and his predecessors held of the Earl of Ross and Lord of the Isles, who, being convicted of rebellion as a traitor, forfeited the superiority of the said lands, which were granted to George, Earl of Rothes, united into one free barony, called the barony of Balmain. George, Earl of Rothes, sold to Robert Lumsden of Medlar half of the lands of Fowlis Mowat, with half of the mill thereof, lying within the barony of Cushney, in the shire of Aberdeen, and granted him a charter of the

1479. same, dated at Ballinbreich, 31st October 1479.*

* *Collections for Shires of Aberdeen and Banff*, p. 594.

William, Lord Forbes, resigned the lands of Balnabrould, in the barony of Rothes, in favour of George, Earl of Rothes, 9th August 1481. Alexander Cumming of Ernside, granted a letter of reversion to George, Earl of Rothes, in the lands of Easter Usetam and Blairtoch, lying within the barony of Rothes, on payment of £100 Scots, dated at Ballinbreich, 4th September 1481. Henry Napier re- 1481.
signed his lands of Balgother in the hands of George, Earl of Rothes, superior of the same, 24th June 1482. John Grant of Innercalzen granted a letter 1482.
of reversion to George, Earl of Rothes, in the lands of Maldores, within the barony of Rothes and shire of Elgin, on payment of £106 : 13 : 4 Scots, 24th November 1488. George, Earl of Rothes, 1488.
granted a precept ordering his bailie to give sasine to Henry Pitcairn of Fother Ramsay, of certain parts of the lands of Colldirney, lying within the barony of Ballinbreich, 4th June 1489. 1489.
William Dumbrech granted a letter of reversion to George, Earl of Rothes, in the feu-farm of three pounds Scots, out of the lands of Wester Usetam on payment of 140 merks, dated at Rothes, 31st August 1489. King James III., by his March- 1489.
mont Herald, and Robert Turnbull, Sheriff, passed to the person of George, Earl of Rothes, having the king's letter, commanding the said earl to give to George, Master of Rothes, his grandson and heir-apparent, the son of the deceased Andrew, Master of Rothes, sufficient sums of money for his

CHAP. I.

George, First Earl of Rothes.

expenses, and for the expenses of his servants, horses, and other necessary things, that he might remain with our Sovereign Lord the King, and serve him as he should be ordered; or otherwise requiring the said Earl of Rothes to present his person in safe custody within the castle of Dumbarton. The instrument thereon, under the hand of John Pitcairn, notary-public, is dated 10th

1487. February 1487; and the Earl of Rothes was personally apprehended by being served with a copy of the same at the gate of Leslie Castle. Patrick Hepburn of Beinstone entered into a bond of manrent with the noble and potent George, Earl of Rothes, for his own and the said earl's lifetime, in peace and in war, against all living—his allegiance to his Sovereign Lord the King, to John, Prior of St. Andrews, and to Patrick, Earl of Bothwell, allenarly excepted; and he bound himself to give the Earl of Rothes the best counsel he could, and to conceal it whenever he showed any to him; and to take part with him in all his actions, causes, and quarrels, and to stand sickerly in his defence against any party being in the contrair; and to be ready to ride and go with him in any parts, in any actions, concerning the said earl's person, his honour, or his heritage—

1489. dated 5th July 1489.

George, first Earl of Rothes, married first, about

1435. 1435, Margaret Lundin, daughter of John Lundin of Lundin in Fife, and by her had a daughter—

I. MARGARET, who was engaged to be married to William Leslie, son and heir of Alexander Leslie of that Ilk in the Garioch, as appears by an obligation, dated 10th July 1458, whereby the said Alexander Leslie obliged himself to George, Earl of Rothes, Lord Leslie upon Leven, that if the marriage appointed betwixt William Leslie, his son and heir-apparent, or any other of his sons and apparent heirs, and Lady Margaret, the daughter of the said Earl of Rothes, by Margaret Lundin his spouse, or any other of the said earl's daughters, should not take place through the default of the said Alexander Leslie, or of his sons, then to pay to the said earl the sum of 500 merks, besides costs, skaith, and expenses in recovering the same. It appears that Lady Margaret married Alexander Cumming of Ernside, which marriage is documented by an assignation by Lady Margaret Leslie, spouse of the late Alexander Cumming of Ernside, to George, Earl of Rothes, of £100 Scots, out of the lands of Dundurchouse, and other items which pertained to her in terce, when the lands should be redeemed by the heir of Alexander Cumming, for certain sums of money for which the said earl was bound in her marriage-contract. The assignation is dated 9th August 1488. 1488.

George, Earl of Rothes, married, secondly, in 1440, Christian, daughter of Walter, Lord Halyburton of Dirleton, by Lady Isabel Stewart, eldest daughter of Robert, Duke of Albany, and relict of Alexander Leslie, Earl of Ross. By Christian Halyburton the Earl of Rothes had issue— 1440.

I. ANDREW, Master of Rothes, of whom hereafter.

II. LADY ELIZABETH LESLIE, married in 1485 to William, third Earl of Errol. Their marriage-contract is dated at Lindores, 14th October 1485, and by it the Earl of Rothes bound himself to pay to the Earl of Errol the sum of 1000 merks, to be invested in land for the 1485.

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George, First Earl of Rothes. *See* App. No. I.

benefit of the said Lady Elizabeth and her heirs. William, Earl of Errol, had a charter to himself, and Elizabeth his spouse, of the lands of Inchescheray, in the barony of Errol, 26th March 1501 ; and another to himself, and Elizabeth his spouse, of the barony of Glendovik, in the shire of Perth, about 1503. The issue of this marriage was a daughter, Lady Mariana, married to David, seventh Earl of Crawford.

1503.

1450. III. LADY CHRISTIAN LESLIE, born 1450, married to George Leslie, second Baron of that Ilk in the Garioch, as is proved by an obligation dated 20th May 1478, whereby George Leslie of that Ilk, acknowledging the great kindness which the Earl of Rothes had shown to him in upholding him at great expense from his childhood till he was twenty-one years of age, and had paid great sums of money for his marriage with Lady Christina Leslie, daughter of the said Earl of Rothes, therefore he bound himself not to sell or wadsett any of his lands, or any that he was heir to, and that he would not alienate any part of his lands from the heir to be procreate betwixt him and the said Lady Christina Leslie.

1478.

After having been married to Christian Halyburton for many years, George, Earl of Rothes, in 1459 raised an action of divorce against her before the Consistory Court of St. Andrews, on the ground of relationship within the forbidden degrees of kindred. But it became incumbent, at the same time, to consult the interests of the issue; and accordingly William, Earl of Orkney and Caithness, Lord Sinclair, an exalted and powerful magnate, father-in-law of Andrew, Master of Rothes, the eldest son, and who therefore was deeply interested in the result, and the Earl of Rothes, 16th May 1459,

1459.

in a chapel of St. Giles' Church, Edinburgh, entered into a submission before six arbiters mutually chosen, who were to consider and determine the more honourable and valid mode of procedure in the process in question lately intended, and that towards the legitimation of the children. The arbiters having straightway accepted and deliberated, by their decree-arbitral upon oath, given forth in terms of the submission on the 22d day of the same month, in St. John's Chapel in the cathedral of St. Andrews, decerned and declared that the said divorce should go on as things were; and for the attainment of this important object, they ordained, first, that letters should be executed, at the expense of the Earl of Rothes, against all and sundry having any knowledge of or concealing the apostolic dispensation —if any was had or obtained—betwixt the said earl and the said lady; and, secondly, for taking off the exception of illegitimacy against the children, that the earl should declare in judgment upon oath, before the official of St. Andrews, that he knew of late, within the year last bypast, and had certain knowledge of the impediment of consanguinity set forth in his libel, but that formerly he was altogether ignorant thereof—viz. for the space of thirteen years after the birth of Sir Andrew Leslie, the last of his children then alive procreat betwixt the said earl and his wife.*

* Riddell on *Peerage and Consistorial Law*, vol. i. p. 453.

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George, First Earl of Rothes.

After his divorce from Christian Halyburton, George, Earl of Rothes, married, thirdly, Elizabeth Campbell, who survived him. Elizabeth Campbell, Countess of Rothes, relict of George, first Earl of Rothes, obtained a decreet from the Lords of

1490. Council, 25th October 1490, against George, second Earl of Rothes, for the wrongous occupation of her terce of the barony of Ballinbreich and other lands, and for withholding from her the profits of the same for the space of two years by-

1491. gone; and, 17th May 1491, a charge was given to George Leslie, brother of the deceased Alexander Leslie of Wardis, to bring with him a box which he had in keeping, belonging to the deceased George, first Earl of Rothes, and alleged by Elizabeth, Countess of Rothes, relict of the said deceased Earl George, to contain the sum of 285 merks, the half of which belonged to her.

George, first Earl of Rothes, died after 31st

1489-90. August 1489, and before 4th May 1490, and was succeeded by his grandson, George, second Earl of Rothes, eldest surviving son of the deceased Andrew, Master of Rothes, who died before his father, George, first Earl of Rothes.

ANDREW,

MASTER OF ROTHES.

Andrew, Master of Rothes.

ANDREW, Master of Rothes, was the only son of George, first Earl of Rothes, by his second wife, Christian Halyburton. King James II. granted a charter to Sir Andrew Leslie, knight, son and heir of George, Earl of Rothes, of the lands and barony of Tacis in Fife, and of the lands and barony of Rothynorman in Aberdeenshire, proceeding on the resignation of the same by George, Earl of Rothes, dated 16th November, an. reg. 23, A.D. 1458. 1458.

Andrew, Master of Rothes, married Lady Marjory Sinclair, daughter of William, third Earl of Orkney and Caithness, Lord Sinclair. By her he had issue—

I. JOHN LESLIE, styled of Balmain, having got a part of the lands of Balmain as a provision. He married Lady Janet Keith, daughter of William, first Earl Marischal, about 1476. There is an agreement betwixt William, 1476.
Earl Marischal, Lord Keith, and George, Earl of Rothes, Lord Leslie, whereby the Earl Marischal bound himself to pay the sum of 600 merks, and the Earl of Rothes bound himself to resign the barony of Ballinbreich, to be given in joint infeftment to John, son of Andrew, Master of Rothes, son of the said Earl of Rothes, and to Janet Keith, spouse to the said John, and also to infeft the said John, and Janet his spouse, in four merks of land in the barony of Leslie—dated 16th January 1477. There is also an obligation whereby 1477.
John Leslie, son's son and heir-apparent to George,

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Andrew, Master of Rothes.

Earl of Rothes, and Janet Keith his spouse, bound themselves to resign all right which they had in the lands of Pitkevey, and four merks of annual rent in the barony of Leslie, whenever the said Earl of Rothes should let to them in free farm twenty-four merks of land in the barony of Balmain. The obligation is

1478. dated 20th May 1478, and has John Leslie's seal appended; and because Janet Keith had no proper seal of her own, she procured the seal of her dearest father, William, Earl Marischal, which is also appended.

1481. John Leslie died about 1481, as appears from a renunciation dated 23d June 1481, whereby the Honourable Janet Keith, Lady Balmain, spouse to the deceased Honourable John Leslie, heir-apparent of George, Earl of Rothes, having compeared before the sheriff-depute of Kincardineshire, in her pure widowhood, renounced all right or claim which she had to the third part of the barony of Ballinbreich in Fife. She also discharged William, Earl Marischal, her brother, of all sums due and provided by the deceased William, Earl Marischal, her father, to George, Earl of Rothes, on account of her marriage-contract with the late John Leslie. She also discharged the said William, Earl Marischal, her brother, and his heirs, of all sums of money which might belong to her, or which she could claim from her brother for the marriage to be contracted betwixt her and John Stewart, son and heir-apparent of Walter, Lord Innermeath; and she gave her oath touching the evangiles not to come contrair to the foresaid renunciation. John Leslie died without issue during the lifetime of his father, Andrew, Master of Rothes, and of his grandfather, George, Earl of Rothes. His relict, the Honourable Janet Keith, married John Stewart, afterwards second Lord Innermeath.

II. GEORGE, who succeeded his grandfather as second Earl of Rothes.

III. WILLIAM, who succeeded his brother George as third Earl of Rothes.

1486. Andrew, Master of Rothes, died about 1486,

CHAP. I.

during the lifetime of his father, George, first Earl of Rothes, as is proved by the command given by King James III. already mentioned, dated 12th February 1487, ordering the Earl of Rothes to give to his grandson, George, Master of Rothes, the son of the deceased Andrew, Master of Rothes, sufficient means for his support while attending the king.

Andrew, Master of Rothes.

1487.

GEORGE,

SECOND EARL OF ROTHES.

George, Second Earl of Rothes.

GEORGE, eldest surviving son of Andrew, Master of Rothes, by Lady Marjory Sinclair, his wife, succeeded his grandfather, George, first Earl of Rothes, as second Earl of Rothes, about 1490.

1490.

A precept was issued furth of the Chancery, 25th May 1490, for infefting George, Earl of Rothes, Lord Leslie, as heir to the deceased George, Earl of Rothes, his grandfather, in the barony of Ballinbreich, and the annexes of the same, consisting of the lands and barony of Cairny, in the shire of Perth; the lands and barony of Fethes, in the shire of Forfar; the lands and barony of Cushney and Fowlis Mowat, in the shire of Aberdeen; the lands and barony of Rothes, in Elgin; the lands and barony of Leslie, and the lands of Balmutto, in the shire of Fife. Sasine followed thereon 27th May 1490. An inquest was held before the Sheriff of Fife, when it was found that George, first Earl of Rothes, died

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George, Second Earl of Rothes.

vest and seized in fee at the faith and peace of the king, in an annual rent of five merks out of the lands of Fairlie; and that George, now Earl of Rothes, grandson of the deceased earl, was nearest and lawful heir to the said deceased Earl of Rothes. A precept was issued furth of the Chancery, 24th May 1490, addressed to the Baron of Lathrick, superior of the said lands of Fairlie, requiring him to infeft the said George, now Earl of Rothes, in the said annual rent. The instrument of sasine following thereon, 27th May 1490, bears that George, Earl of Rothes, went to the presence of Lady Janet Lathrick, lady of the barony of Fairlie; whereupon she went to the ground of the lands of Fairlie, and there delivered to him heritable sasine of the said annual rent by giving him a silver penny.

1490.

It seems that the lands and baronies of the deceased George, first Earl of Rothes, were not returned at their proper value, or were returned at the old instead of the then present value; wherefore, 22d October 1490, the Lords of Council decerned that the "breve of inquest of our Souerane Lordis Chapell, purchest be George, Erle of Rothes, apone certaine landis and annuel be the decess of umquhile his grantschyr," to have been wrongously served, because the persons of inquest "haue nocht retourit the said landis to the avale as thei ar yerely worth—that is to say, quhy thai retourit the baronrie of Ballinbrecht to the avale

of ij^{c} merkis, the quhilk extendis yerely to v^{c} merkis; the landis of Fethys to xx pundis, quhilk extendis yerely to lxxx merkis; the lands of Quisny and Fowlis Mowat to xlvij merkis and a half, quhilk extendis in the yere to lxx merkis; the landis and baronrie of Lesly to lxxx of pundis, quhilk extendis to i^{c} and lx pundis."*

A precept was issued furth of the Chancery, 16th April 1492, for infefting George, Earl of Rothes, in the lands and barony of Leslie in Fife, as heir to his grandfather, the deceased George, Earl of Rothes. 1492. In a circuit-court held at Cupar in Fife, 23d April 1498, a process was raised against George, Earl of Rothes, for the murther of George Leslie, *alias* Dunlope. 1498. The earl not compearing, he was fined one hundred pounds Scots, and denounced at the horn, and his goods were escheated to the king. At a sederunt, held at Stirling 25th May 1500, the Earl of Rothes gave bail to surrender at fifteen days' notice, under a penalty of 1000 merks. 1500. At a sederunt, held at Cupar 1st February 1501, George, Earl of Rothes, being called, and not compearing, forfeited his bail of 1000 merks; and Allan Mann, Andrew Forsyth, Robert Taylor, and William Douglas, accused of being art and part with the earl in the said cruel murther, being called, and not compearing, the earl having been bail for them, their bail was forfeited, and they were denounced at 1501.

* *Acta Dominorum Concilii*, p. 154.

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George, Second Earl of Rothes.

the horn, and their goods confiscated. At a sederunt, held at Cupar 24th October 1503, George, Earl of Rothes, being called, and not compearing, was fined £1000 Scots, and all his goods were confiscated to the king; and again,

1509. 5th November 1509, being again called, and not compearing, he was again fined £1000 Scots, and his goods escheated. The lands of Druman, in the barony of Leslie, through default of moveable goods, having been apprized to the king for payment of 200 merks, in which sum the Earl of Rothes was adjudged in the Justice Ayer at Cupar, Andrew Lundy of Balgoney, having paid the said sum of 200 merks, received a charter of the said

1502. lands from the king, James IV., 28th July 1502, under the condition that the Earl of Rothes should have the said lands again on payment of £200 within seven years.

William Leslie, brother and heir-presumptive to George, Earl of Rothes, represented to the king that the said Earl of Rothes, for default of good goverance, tynes his old heritage in disinheriting of his righteous heir, and contrar to the laws of God. Wherefore the said William besought of the king remead. Wherefore the king, by a letter under the signet, declared the said William's desire just and consonant to reason; and not willing that so noble and famous a house as the earldom of Rothes be destroyed, but rather be kept in honour and nobility, as the said earl's pre-

decessor keeped the same in times bygone, he granted to the said William Leslie, heir foresaid, and to James and George Leslie, and to what other council they liked, full licence to pass and remain with the said earl, and to give their good counsel for the government of his person, lordship, lands, and goods, so that he be not misguided and his lands wasted—2d March 1506. 1506.

The king, James IV., obtained a decreet of nonentry from the Lords of Council against George, Earl of Rothes, and his predecessors, Lords of Balmain, and against Lady Janet Keith, Lady Balmain, widow of John Leslie of Balmain, now spouse of John, Lord Innerneath, libelling against them to have heard and seen the lands of Balmain, lying within the barony of Kincardine, to have been in the king's hands for fourscore years, because the said barony of Kincardine was resigned into the hands of Robert Stewart, Duke of Albany, as Governor of Scotland, by Euphemia Leslie, daughter and heiress of Alexander Leslie, Earl of Ross, in 1415; and the said barony was granted again by the said Robert, Duke of Albany, Governor of the Realm, to the said Euphemia, and the heirs of her body; failing whom, to John Stewart, Earl of Buchan, and his heirs; and the said barony was now in the hands of the king, as the heir of the said John, Earl of Buchan. The Earl of Rothes produced a charter of infeftment of the said lands of Balmain, granted to Sir George 1415.

CHAP. I.

George, Second Earl of Rothes.

Leslie of Rothes in 1398, and to his heirs, by Alexander, Earl of Ross, to be holden of him and his heirs. Whereupon the Lords of Council, understanding that since the decease of Euphemia
1415. Leslie, Countess of Ross, in 1415, when the heirs of Alexander Leslie, Earl of Ross, failed, the king and his predecessors had been the immediate superiors of the lands of Balmain, therefore decerned that the said lands had been in the king's hands by reason of non-entry since the decease of Sir George Leslie, progenitor of the said Earl of Rothes, a period extending to eighty-five years; and they ordained the Earl of Rothes to show an acquittance under the king's Privy Seal discharg-
1507. ing him of the said non-entries, 3d March 1507. Thereon followed a decreet for apprizing the lands of Balmain for £2210 Scots; after which the king, for onerous reasons, by a charter dated at
1510. Stirling 13th May 1510, granted to John Ramsay of Terrenzeon, knight, the lands of Balmain, which had pertained to umquhile George de Leslie, grandsire of George, Earl of Rothes, and now pertaining to the king by reason of non-entry and the process of apprizing.

A decreet of recognition was issued against
1509. George, Earl of Rothes, 22d January 1509, bearing that the said Earl of Rothes, and all others having interest in the barony of Ballinbreich and other lands enumerated, had tint the possession thereof, and decerning the same to pertain to our

Sovereign Lord the King, because the most part of the said lands were annailzied without licence, consent, or confirmation of the king—they being holden immediately of the king for service of ward and relief—for which cause the said barony of Ballinbreich, with the lands and annexes thereof, were recognosced in the king's hands, and not letten to brock the space of a year and a day, the recognition being bypast. The king compeared by his advocate, Mr. James Henderson, and George, Earl of Rothes, was personally present during the process of recognition. Thereupon an instrument was executed, bearing that George, Earl of Rothes, compeared personally, and confessed that the greater part of the barony of Ballinbreich, with the lands pendicle thereto, except the barony of Tacis in Fife, and the barony of Rothynorman in Aberdeenshire, were and are alienated, and that a decreet of property upon the part of the king might be pronounced and go out; but under condition that George, Abbot of Aberbrothwick, the king's treasurer, should fulfil the conditions promised by him to the said Earl of Rothes—22d January 1509. 1509.

King James IV. granted a charter, 22d February 1509, to George, Earl of Rothes, confirming to him a charter of the barony of Fythkill, granted 5th February 1399, by King Robert III. to 1399. George de Leslie, knight, and Elizabeth his spouse. George, Earl of Rothes, was retoured

CHAP. I.

George, Second Earl of Rothes.

nearest and lawful heir of the deceased Andrew de Leslie, knight, his father, in the lands and barony of Rothynorman in the shire of Aberdeen, and annexed to the barony of Ballinbreich, 17th April 1509. Sasine followed thereon, 19th May 1509. Archibald Preston granted a letter of reversion to George, Earl of Rothes, in the lands of Balgothnie, for 500 merks, and got a tack of the same, dated 14th March 1509. James IV. granted to John Beaton, 22d November 1510, a charter of the lands of Dunboig in the barony of Ballinbreich, which lands were holden by the said John Beaton of George, Earl of Rothes, and were now in the king's hands by reason of the alienation of part of the said barony of Ballinbreich by the said earl, without the consent of the king, and the decreet of adjudication whereby the said barony was adjudged to be in the king's hands.

See App. No. II.

1509.

1510.

Robert Lumsden of Medlar obtained a charter from King James IV., 24th July 1511, of the lands of Fowlis Mowat, with the mill of the same, and the lands of Knokreauch and Balchemy, with the mill of the same, lying in the barony of Cushney within the shire of Aberdeen; which lands were holden by the said Robert Lumsden of George, Earl of Rothes, and which had been recognosced in the king's hands on account of the alienation, without the king's consent, of the greater part of the barony of Ballinbreich, to

1511.

George, Second Earl of Rothes.

which the said lands were united; the said lands to be holden by the said Robert Lumsden of the king for one suit to the head-court of the shire of Aberdeen, to be held yearly after the feast of St. Michael, until such time as the said George, Earl of Rothes, or his heirs, should be infefted in the said baronies.*

George, second Earl of Rothes, died unmarried before 31st March 1513, as is proved by an Act of Parliament of that date, ratifying the composition made between the king and umquhile George, Earl of Rothes, concerning the barony of Ballinbreich, adjudged to be in the king's hands, by reason of the alienation of the greater part thereof without the king's consent. He was succeeded by his brother William, third Earl of Rothes. According to Douglas's *Peerage*, George, second Earl of Rothes, was slain, with his brother William, at the battle of Flodden, 9th September 1513; but it is certain that Earl George died some months before that battle.

1513.

WILLIAM,

THIRD EARL OF ROTHES.

William, Third Earl of Rothes.

WILLIAM, third son of Andrew, Master of Rothes, by Lady Marjory Sinclair, his wife, succeeded his brother George, second Earl of Rothes, as third Earl, before 31st March 1513.

1513.

* *Registrum Magni Sigilli*, lib. xvii. No. 84.

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William, Third Earl of Rothes. *See* App. No. III.

William Leslie, designed "Wilyeame of Leslie brother germane to George Erlle of Rothess," entered into a bond of manrent with William, Earl of Errol, 3d June 1490. Under the same designation he got a charter under the Great Seal of the lands of Easter Fethes, in the barony of

1511. Fethes in Forfarshire, 7th August 1511.*

William, third Earl of Rothes, appears to have had some difficulty with regard to his succession to the family titles and estates, owing to some irregularities of his brother George, second Earl of Rothes, who had neglected certain forms of law, and had alienated his lands without the king's consent, in consequence of which the family estates had been adjudged to the king; and Earl George seems to have been under forfeiture when he died, and perhaps even his title was suspended, but of this there is no record. Before William, third Earl of Rothes, had time to settle all these difficulties with the crown, and to make up his titles, he was killed, with the king and the flower of the Scottish nobility, at the battle of Flodden,

1513. 9th September 1513. But he did undoubtedly succeed to the earldom of Rothes, as is proved by the following documents.

An Act of Parliament was passed, 31st March 1513, to ratify the composition touching the barony of Ballinbreich made by George, Abbot of

* *Registrum Magni Sigilli*, lxvii. No. 35.

Aberbrothwick, the king's treasurer, and the deceased George, Earl of Rothes. By this Act the three estates of Parliament ordained that the composition made by the king with umquhile George, Earl of Rothes, should be kept in every point, and they declared that all things done in prejudice of the said earl by the king's grace, or by any other person, contrary to the tenor of the said composition, should be of no avail. An extract of this Act of Parliament was made under the hand of Mr. Gavin Dunbar, Archdean of Saint Andrews, Lord Register, 25th July 1513. 1513.

King James IV., 30th June 1513, granted under the Privy Seal to William Leslie, brother and heir to umquhile George, Earl of Rothes, for his good services, a gift of the non-entries, farms, and profits of the barony of Ballinbreich, and other lands specified, with power to the said William to hold courts, raise unlaw, etc., as freely as the said George, Earl of Rothes, used before the time that the said lands came into the king's hands by reason of recognition, alienation, forfeiture, and non-entry of heirs.

The king issued a recommendation to his advocate, Mr. James Henryson, 7th July 1513, willing him to stand with his cousin, William Leslie, heir to umquhile George, Earl of Rothes, in pursuing for remead before the Lords of the King's Council, in so far as the said deceased earl and the said William Leslie were hurt by the 1513.

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William, Third Earl of Rothes.

king against justice in their heritage, and especially since the decreet of property of the lands and barony of Ballinbreich and others, obtained by the king; also to help the said William Leslie the best way he might, as he would do the king great pleasure, and would have thanks of him therefor, for the king's mind and desire was that the said William Leslie be helped.

1513. The king, James IV., addressed a signature, dated at Edinburgh, 14th July 1513, to William, Bishop of Aberdeen, Keeper of the Privy Seal, bearing that the barony of Ballinbreich, and other lands specified, had been adjudged to the king, and that the deceased George, Earl of Rothes, had lost his right to the said lands by alienating the greater part of them without the king's licence; and that at the time of the decreet of adjudication, it was agreed by the king's treasurer that the said Earl George should have a new infeftment of the said lands upon payment of a composition of 2000 merks Scots, of which sum 1400 merks had been paid to the king's treasurer before the death of the said Earl George. The king, nevertheless, willed that the said agreement should be fulfilled in favour of William Leslie, brother and heir of the said Earl George, and therefore he had granted to the said William Leslie, and his heirs, heritably all and haill the lands and barony of Ballinbreich, and all the other lands as specified, to be holden of the king in fee and heri-

tage for ever, and as securely as if the said lands had been confirmed to the said William and his heirs by a charter under the Great Seal.

William, third Earl of Rothes, married Margaret, daughter of Sir Michael Balfour of Montquhanie, and by her had issue—

I. GEORGE, who succeeded as fourth Earl of Rothes.

II. JOHN LESLIE, designed of Parkhill. John Leslie, rector of Kynnore, brother-german of George, Earl of Rothes, got a charter of the king's lands of Parkhill in Fife, 24th March 1537.* He was taken at the rout of Solway 1537.
Moss in 1542, and was released 1st July 1543, on pay- 1542.
ment of a ransom of 2000 merks. He aided his nephew Norman, Master of Rothes, in the murder of Cardinal Beaton, for which he was forfeited 14th August 1546. It is said that he married Euphemia, second 1546.
daughter of Sir John Moncrief, in 1526, and had two daughters. (See hereafter.)

III. JAMES LESLIE, who was parson of Rothes, and died 1576. 1576.

William, third Earl of Rothes, was a man of great spirit and resolution. He accompanied King James IV. to the disastrous battle of Flodden, and there fell, with his royal master and the flower of the Scottish nobility, 9th September 1513. 1513.
In a charter granted by King James V. to George, fourth Earl of Rothes, and Margaret Crichton his affidate spouse, 1st April 1517, is the following :— *See* App. No. IV.
"Willelmum Lesley qui obiit cum dicto quondam carissimo patre nostro sub vixillo suo in campo bellico commisso apud Brankistoune in North-

* *Reg. Mag. Sig.* lib. lxxvi. No. 103 ; and *Fœdera*, xiv. p. 797.

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William, Third Earl of Rothes.

umbria." Earl William was succeeded by his eldest son George, fourth Earl of Rothes. All historians agree that the Earl of Rothes was one of the thirteen Scotch earls who were slain at Flodden; and this Earl of Rothes must have been William, third Earl, and not George, second Earl, who, as has been shown, died some months before the battle.

GEORGE,

FOURTH EARL OF ROTHES.

George, Fourth Earl of Rothes.

GEORGE, eldest son of William, third Earl of Rothes, by Margaret Balfour, his spouse, succeeded as fourth Earl of Rothes, on the death of his father at Flodden, 9th September 1513.

1513.

George, second Earl of Rothes, having died before 31st March 1513, leaving his affairs in a very unsatisfactory state, most of his estates having been adjudged to the king, his brother and heir, William, third Earl of Rothes, had some difficulties to overcome in making up his titles to the family dignities and estates, and before these difficulties were surmounted, he was slain at the battle of Flodden, as has been shown. Consequently, his son George, fourth Earl of Rothes, designed as the son of umquhile William Leslie, and heir of umquhile George, Earl of Rothes, his uncle, was served heir of George, second Earl of Rothes, who was the last possessor who had made

up legal titles to the family honours and estates, and was not served heir of his father William, who died before he had completed his legal titles. This has led some to the opinion that William, Leslie never succeeded to the title of Earl of Rothes, and explains why his name is in some pedigrees omitted in the list of Earls of Rothes.

King James V., with the consent of John, Duke of Albany, his tutor, and the Protector and Governor of the realm, granted a charter, dated at Edinburgh, 1st April 1517, to George Leslie, Earl of Rothes, Lord Leslie, and to Margaret Crichton his affidate spouse, "per verba de futuro, cum carnali copula inde secuta," and to their heirs, of the lands of Halltacis, Hilltacis, and the mill of Tacis; the lands of Ballinderane; the lands of Hechame; the lands of Loay; the dominical lands of the mains of Ballinbreich; the mill of Ballinbreich; the fourth part of the dominical lands of Leslie, called the Easter Quarter; and the lands of Ballingall; which lands belonged to umquhile George, Earl of Rothes, and were held by him in chief of the king, but had been apprised by the Sheriff of Fife, on account of the defect of moveable goods, for the sum of £1605 : 6 : 8 Scots, and had been sold by the late king, James IV., to umquhile Andrew Bertoune, and to his son Alexander Bertoune, in fee and heritage, for the said sum; and for the redemption of which lands the said Margaret Crichton had paid to the said

1517.

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Alexander Bertoune, and his curator Robert Bertoune, the said sum, and two hundred merks more. Therefore the king granted the said lands to the said George, Earl of Rothes, and the said Margaret Crichton, and the longest liver of them two, in conjunct fee, and to the heirs-male lawfully procreate, or to be procreate, betwixt them, "matrimonio inter ipsos solemnizato et stante legitimo, vel per dispensationem si opus fuerit, legitimato;" and failing heirs-male legitimately procreate betwixt them, to the said Margaret, her heirs and assigns, as she shall be pleased to appoint, until the said sum shall be repaid to the said Margaret; and then to return to the said George, Earl of Rothes, and his heirs.

By the same charter, the king also granted to George Leslie, Earl of Rothes, son of umquhile William Leslie, and heir of umquhile George, Earl of Rothes, his uncle, all and singular the lands and baronies underwritten—*videlicet*, the lands, barony, and castle of Ballinbreich, with the mills, fishings, woods, tenents, tenandries, free tenencies, services, advocations, and donations, by title of the patronage of the church of Flisk, of the prebend of Abernethy, called Forevinship, and of the chaplainry of Glenduky; the lands and barony of Tacis, with the mill, annexes, tenents, tenandries, free tenencies, and services of the same; the lands of Kennoquhy, Drumnard, Ouchtermuny, Lalethin, Awdy, and Kynmux, with forty shillings of

annual rent of the lands of Kennoquhy, and five merks of annual rent of the lands of Estir Lathrisk, called the Riggs, all lying within the shire of Fife; the lands and barony of Cairny, with the mill of the same; and the advocation and donation of the church of St. Modoc, lying within the shire of Perth; the lands and barony of Fethus, lying within the shire of Forfar; the lands and barony of Balmain and Woodfield, with the mills, annexes, tenents, tenandries, free tenencies, and services of the same, lying within the shire of Kincardine; the lands and barony of Cushney and Fowlis Mowat, with the mills, annexes, tenents, tenandries, free tenencies, and services of the same, with the dues used and wont, with the right of patronage, advocation, and donation of the church of Cushney, lying within the shire of Aberdeen; the lands and barony of Rothes, with the castle, mills, fishings on the Spey, tenents, tenandries, free tenencies, services, woods, free forests, dependencies, and outsets of the same, with the right of patronage, advocation, and donation of the church of Rothes, and of the chaplainry within the castle of Rothes, lying within the shire of Elgin; the lands and barony of Rothynorman, with the mills, tenents, tenandries, free tenencies, and services of the same, lying within the shire of Aberdeen; the lands of Kildochis, lying within the shire of Inverness; and a third part of the lands and barony of Dunlopy, in the shire of Forfar; which lands and

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baronies belonged hereditarily to umquhile George, Earl of Rothes, but had been recognosced in the hands of the late king for the alienation of the greater part of them by the late earl without the royal licence. All which lands and baronies, united in one barony called the barony of Ballinbreich, the king, for the free and faithful services rendered by umquhile George, Earl of Rothes, umquhile William Leslie, who fell with the late king under his standard in the battle of Brankstone or Flodden, and George, present Earl of Rothes, granted to George, Earl of Rothes, and his heirs-male bearing the name and arms of Leslie, and resigned all right or title which he had in the same, in virtue of recognition, alienation, forfeiture, escheat, non-entry of heirs, or in any other manner: Rendering therefor three suits at three head-courts to be held within the shire of Fife, with wards, reliefs, and marriages: Provided, nevertheless, that the inhabitants of the lands and parts of the said barony beyond the shire of Fife, should appear in the courts of Justice Eyre of the shires in which the said lands lie.

See App. No. IV.

The instrument of sasine following on this charter bears that sasine was given to George, Earl of Rothes, and Margaret Crichton, in the lands redeemed from Alexander Bertoune, and to George, Earl of Rothes, in the other lands and baronies mentioned in the charter 20th May 1517.

1517.

George, Earl of Rothes, was a nobleman of

great accomplishments, and was endowed with prudence and wisdom. He was much esteemed by King James V., who took him with him to France when he went thither to espouse Magdalen, third daughter of Francis I., King of France, 1st January 1537. In return for his services, the king granted to George, Earl of Rothes, for his free and faithful services done to him as well in France as in Scotland, to Agnes Somerville his spouse, to Peter and James Leslie his sons, and to Margaret Crichton, in liferent, for all their lifetimes, a charter of the lands and barony of Ballinbreich, 5th September 1539. George, Earl of Rothes, was also appointed hereditary Sheriff of Fife, and received from the king several charters of that office to him and his heirs, in 1540, 1541, 1542. The office of Sheriff-principal of Fife continued in the family till the time of John, tenth Earl of Rothes, in 1746, when the Government paid to the earl the sum of £6268 : 16s. sterling for his right to the office. George, Earl of Rothes, was also appointed an extraordinary Lord of Session, 2d July 1541.

1537.

1539.

1540-2.

1746.

1541.

George, Earl of Rothes, was accused of aiding his son Norman in the murder of Cardinal Beaton; and a commission was granted by Queen Mary, bearing that he had been delated, before his going to France or since his return, to James, Earl of Arran, the Regent of the Kingdom, as being under suspicion of the cruel and treasonable

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murther of the Most Reverend David, Cardinal Beaton, and for taking the castle of Saint Andrews. Therefore the queen constituted Alexander Strachan and others, her justiciaries, to call and accuse the said earl of Rothes for being art and part in the foresaid murther; dated at Peebles

1547. 12th July 1547. The said Alexander Strachan of Thornton, Sheriff, granted a certificate, dated 15th July 1547, bearing that George, Earl of Rothes, had compeared before him in a court of justiciary held by him in the fields near the water of Garrow, in presence of the Lord Regent and the Lord Chancellor, George, Earl of Huntly, standing indicted of being art and part in the murther of Cardinal Beaton in the month of May 1546, giving his advice to Norman Leslie, Master of Rothes, his son, to John Leslie of Kynnore, his brother, and to others who committed the said homicide, and of treasonable assistance of the said persons in taking and keeping the castle of Saint Andrews; which deeds the said George, Earl of Rothes, did deny, and was, by a condign assize of the persons aforesaid, made quitt and altogether free of the said crimes.

George, Earl of Rothes, was named one of the

1557. commissioners in 1557 to go to the Court of France for contracting and celebrating the marriage of Queen Mary with Francis the Dauphin of France. He granted to Robert Carnegie, 27th January 1557, a bond for £1000 Scots on account

of money found for his journey to France. The marriage was solemnised with great pomp in the cathedral of Notre Dame, 24th April 1557. The Chancellor of France endeavoured to obtain from the commissioners that the crown of Scotland should be settled on the queen's husband, and that he might be crowned King of Scotland; the commissioners replied that they had no such instructions in their commission. The Chancellor then required them, under their handwriting, to promise that they would endeavour, on their return home, to get that object effected. The commissioners, by the advice of the Earl of Rothes, refused to make this promise, and they were dismissed. On their way home, the Earls of Rothes and Cassillis, and Bishop Reid, President of the Court of Session, died at Dieppe, all in one night, 28th November 1558, and Lord Fleming died at Paris, which gave rise to a report that they had been poisoned because the commissioners' firm refusal to grant to the Dauphin the crown-matrimonial of Scotland had given great offence to the French Court.*

1558.

George, Earl of Rothes, wadsett to the college of St. Salvator at Saint Andrews half of the lands and barony of Cairny in Perthshire, and the lands of Dunlopy in Forfarshire; and Hugh Spence, Provost of the said College, granted a tack of the said lands to the said earl for £40 Scots per annum, aye and while the same should

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be redeemed, 6th April 1519. And on the same day the said provost granted to the said earl a letter of reversion in the said lands on payment of £666 : 13 : 4 Scots, in gold and silver money, excluding placks and pennies. George, Earl of Rothes, is witness to a charter by King James V.,

1520. 6th August 1520, confirming a charter of sale granted by William Sutherland de Duffus to Gavin, Bishop of Aberdeen.* George, Earl of

1522. Rothes, granted a charter, 20th May 1522, to his beloved cousin George Leslie, of the lands of Drumbarrow, in the barony of Ballinbreich, in which lands the said George Leslie had been infeft by umquhile George, Earl of Rothes; but when the barony of Ballinbreich was recognosced in the king's hands, the said George Leslie obtained a new infeftment of the said lands from the late King James IV., to be holden of the king and his successors till such time as the said George, then Earl of Rothes, or his heirs, had recovered and obtained new infeftment of the barony of Ballinbreich. Therefore, George, now Earl of Rothes, having recovered the barony of Ballinbreich, and having been infeft therein, did grant to the said George Leslie the foresaid lands of Drumbarrow, to him and the heirs-male of his body; failing whom, the said lands were to revert to the said earl and his successors. The said

* *Registrum Aborav.* p. 416, Nos. 435-439.

George Leslie granted a procuratory for resigning his lands of Drumbarrow in the hands of George, Earl of Rothes, the superior of the same, 24th March 1528. John Bethune of Creich granted a procuratory, 20th May 1528, for resigning into the hands of the king part of the lands of Flisk, and others, in favour of George, Earl of Rothes. George, Earl of Rothes, got a charter of part of the lordship of Huntly from John, Lord Glammis, 8th December 1528; also a charter from the king of the king's lands of Murdocarny, Rathulet, and Star, in Fifeshire, 2d March 1529; also a charter under the Great Seal of the heritable office of Sheriff of Fife, dated at Haddington, 1st June 1529. George, Earl of Rothes, is witness to a charter granted by King James V. to the University College and city of Old Aberdeen, 7th February 1527; also to a charter granted by the king, 1529, confirming a charter of Gavin, Bishop of Aberdeen, of certain lands for founding two chaplainries in the cathedral of Moray.* George, Earl of Rothes, got a charter from King James V. of part of the lands of Fleskmillan, which belonged to David Boswell of Balmuto, and had been lawfully apprised for 220 merks to Janet Inglis, who sold the said lands to the Earl of Rothes, 25th May 1530. George, Earl of Rothes,

1528.

1529.

1530.

* *Fasti Aberdonenses*, p. 79; and *Registrum Moraviense*, p. 418, No. 443.

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redeemed the lands of Drumman, wadsett by George, second Earl of Rothes, to James Lundy of Balgoney for 800 merks, 26th May 1531. George, Earl of Rothes, got a charter of the lands of Drummyn and Dumbarroch in Fife, 24th
1532. August 1532. Sir Henry Stirling of Keir resigned the lands of Balquhaney, in the barony of Leslie, into the hands of George, Earl of Rothes, in favour of Henry Kempt, who got a charter of the same, 1st October 1532. George, Earl of Rothes, got a charter of the lands and barony of Rothes and the lands of Belhelvie, in the barony
1536. of Ballinbreich, 21st July 1536. George, Earl of Rothes, with the consent of Dame Agnes Somerville his spouse, sold to Sir James Torry, Vicar of Milginch, to be held by him, and after his decease by the perpetual chaplain of St. Kathavn's chapel, an annual rent of sixteen merks out of the lands of Cairny; and the said Sir James Torry granted to the said Earl of Rothes a letter of reversion in the said annual rent, how soon he should pay to him or his successors the sum of 400 merks, 7th
1537. September 1537. On the 16th January 1538, an action was raised before the Lords of Council and Session, "at the instance of Robert Lummisden of Midlar, brother and air to umquhile Thomas Lummisden of Midlar the sone and air of vmquhile Robert Lummisden sone of vmquhile Thomas Lummisden of Condolane aganis George Erle of Rothes air and successour to vmquhile

George erle of Rothes his grandschir to have him be decernit be decreit of the Lordis of Counsell to warrand acquiet and defend to the said Robert as air and successour foirsaid all and hale the landis of Balmakely with the pertinentis liand within the barony of Quisny within the Schirefdome of Aberdene sauld and analyit to the said vmquhile Robert heretably be the said vmquhile George."* King James V. granted a charter, dated at St. Andrews, 8th July 1539, to his beloved familiar cousin and councillor, George, Earl of Rothes, to Agnes Somerville his spouse, and to his heirs whomsoever, of the lands and barony of Ballinbreich, Fleskis, Tacis, and others; also a charter to him, and Agnes Somerville his spouse, and to his heirs bearing the name and arms of Leslie, and to Margaret Crichton, in liferent, the lands and barony of Leslie, and others, and confirming all the privileges formerly granted to the town of Leslie as a free burgh of barony, 10th July 1539. George, Earl of Rothes, granted to John Bethune the non-entry mails of the lands of Drumman for all the years that the said lands had been in the hands of the earl, as superior of the same, since the decease of the last possessor, until the lawful entry of the right heir, 19th April 1540.

1539.

1539.

1540.

George Earl of Rothes, and Norman his son,

* *Acta Dominorum Concilii et Sessionis*, vol. xi. fol. 79.

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fiar of the earldom, got a charter from King James V. to them and their heirs heritably, of the office of Sheriff of Fife, 7th September 1540. George, Earl of Rothes, resigned the lands and barony of Leslie and others into the hands of the king in favour of Norman Leslie, his eldest son and heir, who received a charter of the same to him, Norman Leslie, George, Earl of Rothes, his father, Agnes Somerville, the said earl's spouse, and to Margaret Crichton in liferent, 13th
1540. December 1540. George, Earl of Rothes, got another charter of the office of hereditary Sheriff of Fife, to himself in liferent, and to his son Norman
1541. in fee, 7th December 1541; and another to the
1542. same effect, 3d September 1542. George, Earl of Rothes, resigned into the hands of King James V. all the lands and barony of Ballinbreich, and annexes of the same, in favour of his son Norman, Master of Rothes, who got a charter of the same in fee and heritage, and the said Norman delivered to the said earl, his father, a letter of reversion in the same, containing certain sums of money; and the king's successor, Queen Mary, granted to the said George, Earl of Rothes, a letter of regress, bearing that when the sums contained in the last reversion were paid by him to the said Norman, the said earl and his heirs specified should have free regress to the said lands, and to the office of
1543. Sheriff of Fife—14th January 1543. William Leslie of Corlovoquhy granted a letter of reversion

George, Fourth Earl of Rothes.

in twenty-seven oxengate of the lands of Dundurcas, in the barony of Rothes, on payment of 300 merks, in favour of George, Earl of Rothes, life-renter, and of Norman Leslie, fiar of the earldom of Rothes, 8th August 1543. Queen Mary, with the consent of the Earl of Arran, the Regent, granted a charter, 6th September 1547, to George, Earl of Rothes, his heirs and assigns, of the lands and barony of Ballinbreich and others, which belonged to Norman, Master of Rothes, and were then in the queen's hands by reason of the escheat and forfeiture pronounced against the said Norman for certain crimes committed by him, whereof he stood convicted in full parliament. The earl then executed a charter of alienation and sale of the said lands and barony of Ballinbreich, in favour of Andrew Leslie, his lawful son, and the heirs-male of his body, for a sum of money paid to the said earl in his urgent need by the said Andrew and his cousins on his mother's side; reserving, however, to himself his liferent of the said lands and barony, 31st May 1548, and confirmed by a royal charter, 7th June 1548. The queen also granted to George, Earl of Rothes, a letter of regress in the said lands, upon payment to the said Andrew, his son, of the sums of money mentioned in his letter of reversion, 7th June 1548. George, Earl of Rothes, granted a disposition to Andrew, fiar of Rothes, his son, of his house in Cupar, and of all his goods, gear, and utensils in

1543.

1547.

1548.

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the said lodging; dated at St. Andrews, 2d March 1549. Andrew Leslie, chaplain of the chapel of the blessed Virgin Mary within the castle of Rothes, with the consent of George, Earl of Rothes, patron of the same, and of Patrick, Bishop of Aberdeen, granted a feu-charter of the lands of Chapelhill, belonging to the said chapel, in favour of George Leslie, son and heir of William Leslie of Corlovoquhy. In order to obtain the restoration of his lands, which had fallen into the queen's hands by reason of the escheat and forfeiture of Norman, Master of Rothes, George, Earl of Rothes, signed a procuratory, to which he affixed his seal,

1557. 13th September 1557, and an instrument of requisition to the queen, the queen-mother, regent of the kingdom, and the officers of state, was done in the choir of the kirk of Cupar, in the time of high mass, under the hand of John Paterson, notary-public, 19th September 1557; and 20th November 1557, an instrument of consignation was executed, wherein are produced all the documents read and proclaimed, and declaring that whereas £100 Scots was told in money upon the high altar of the said kirk of Cupar, and remained there as ready at nine o'clock in the forenoon, at noon, and till three hours afternoon, and thereafter, while the sum was put to rent, and none compearing to receive the said sum, and to give over their rights to the said lands and barony of Ballinbreich, with all the documents

relating to the same, and to make renunciation of the same, therefore the procurator for the Earl of Rothes consigned the said sum of £100 Scots in the hands of John Patterson, Bailie and Dean of Guild, and protested that the delaying of the said sum for the redemption of the said lands should be lawful.

George, Earl of Rothes, married, first, the honourable Margaret Crichton, daughter of William, third Lord Crichton of Frendraught, by Lady Margaret Stewart, second daughter of King James III. Margaret Crichton married, first, William Todrick, burgess of Edinburgh; secondly, George Halkerton, also a burgess of Edinburgh; thirdly, George, fourth Earl of Rothes, as appears by the charter already mentioned, granted 1st April 1517, to George, Earl of Rothes, and to Margaret Crichton, his affidate spouse "per verba de futuro, cum carnali copula inde secuta," and the heirs to be procreate betwixt them; but under the condition, in order to secure a legitimate representation, "matrimonio inter ipsos solemnizato et stante legitimo, vel per dispensationem si opus fuerit legitimato." By Margaret Crichton the Earl of Rothes had issue— 1517.

I. NORMAN, Master of Rothes, of whom hereafter.

II. WILLIAM, who was implicated with his brother Norman in the murder of Cardinal Beaton, and was charged with giving assistance to the traitors who seized and held the castle of Saint Andrews, for which he obtained a

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remission under the Privy Seal, in 1548.* Probably on on account of being implicated in this affair, and being included in the forfeiture pronounced against the traitors, William Leslie was passed over by his father, the Earl of Rothes, when he settled the earldom on his younger son Andrew, who became fifth Earl of Rothes, and who, on his accession to the earldom, submitted his claims and those of his eldest lawful brother, William Leslie, to Queen

1566. Mary, who, 15th January 1566, pronounced a decreet-arbitral to the following effect: that Andrew, Earl of Rothes, should enjoy the whole earldom of Rothes, as his father, the late earl, had possessed it, and that William Leslie should renounce all right or title which he had in the same, in favour of his brother Andrew; but in case the said Andrew died without leaving heirs-male of his body, the earldom was to revert to the said William; that the said Andrew, Earl of Rothes, should infeft the said William and his heirs-male, lawfully begotten, in the lands of Cairny, in the Carse of Gowrie, to be held of the said earl in free farm, to return to the said earl in case the heirs-male of the said William failed, in which case the earl was to provide suitable marriages for the heirs-female, if any, of the said William, also to infeft the said William in as much of the lands of Ballinbreich as would yield an annual rent of five hundred merks, and to build for him a suitable dwelling-house on the lands of Cairny. William Leslie sold the lands of Cairny to Thomas Hamilton, 29th October 1570; and Thomas Hamilton resigned them in favour of Andrew, Earl of Rothes, 3d February 1585.

See App. No. V.

1585.

III. LADY ELIZABETH. David Barclay of Culerny, in Fife, granted a charter of the lands of Kinninmont, in the barony of Culerny, to Lady Elizabeth Leslie, daughter

1545. of George, Earl of Rothes, 25th June 1545.†

George, Earl of Rothes, concluded a matrimonial

* *Registrum Secreti Sigilli*, lib. xxi.

† *Registrum Magni Sigilli*, lib. lxxix. No. 252.

contract with Sir John Oliphant of Kelly, 11th September 1527, to the effect that Alexander Oliphant of Kelly, then under the years of puberty, should contract marriage with one of the legitimate daughters of the said Earl of Rothes, and of Margaret Crichton, Countess of Rothes, his spouse, as soon as he should attain a marriageable age.*

Whether an actual marriage took place between George, Earl of Rothes, and Margaret Crichton, in order to legitimate their previous union, is not stated. It is probable that there were some legal objections to their marriage, as in the charter already quoted one of the conditions required was, that they should get a dispensation if it were necessary. Whatever may have been the cause, the Earl of Rothes entered a process to have his marriage declared null on the ground that he was within the forbidden degree of affinity with the countess, he having had illicit intercourse, before his marriage, with Matilda Striveling, who was related to Margaret Crichton in the second and third degree of consanguinity, thus making him and Margaret related to each other in the same degrees of affinity, and rendering their marriage incestuous and illegal according to existing law. Whatever the facts may have been, the marriage was declared to have been

* Extracts from the *Liber Officialis Sancti Andree*, No. 165 ; Abbotsford Club Ed.

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null from the beginning by the ordinary, the rector of Flisk, 27th December 1520. The effect of this judgment was to leave the parties free to marry whom they would, while the issue of their previous union would be considered legitimate, on account of the good faith or ignorance of at least one of the parties. Hence the legitimacy of Norman, Master of Rothes, and of William Leslie of Cairny, was never doubted.

1525. George, Earl of Rothes, married, secondly, about 1525, Elizabeth Gray, daughter of Andrew, third Lord Gray, relict of John, fourth Lord Glammis, and of Alexander, third Earl of Huntly. George, Earl of Rothes, granted a charter, dated June 1525, of the lands and barony of Ballinbreich, to Elizabeth Gray, Countess of Huntly, relict of the deceased Alexander, Earl of Huntly, for her lifetime. By her the Earl of Rothes had no issue.

He married, thirdly, Agnes Somerville, daughter of Sir John Somerville of Cambusnethan, widow of John, second Lord Flemming, predecessor of the Earls of Wigton. Agnes Somerville, relict of the deceased John, Lord Flemming, got a charter of the lands of Carsehaur, in Menteith, 17th

1526. December 1526; and George, Earl of Rothes, and Agnes Somerville his spouse, got a charter of the

1530. lands of Cairny, 29th January 1530,* so that the marriage must have taken place between 1526

* *Registrum Magni Sigilli*, lib. lxxii. No. 195.

and 1530. It is said that the Earl of Rothes got a good fortune with Agnes Somerville, which enabled him to redeem many of the family estates which had been mortgaged by his uncle George, second Earl. He also bought the lands of Newton in Fife about this time. By this marriage the Earl of Rothes had issue—

I. ANDREW, who succeeded as fifth Earl of Rothes.
II. PETER LESLIE.
III. JAMES LESLIE, ancestor of the Leslies of Ballybay in Ireland, of whom hereafter.
IV. JOHN LESLIE, who was a prisoner in England. King Henry VIII., 1st July 1543, issued an order for the liberation of John Lysle, younger sonne to the Erle of Rothes, on payment of a ransom of 200 merks. 1543.
V. LADY JANET, married to Crichton of Naughton, or, as some say, to Cockburn of Langton.
VI. LADY HELEN, married to Mark Kerr, commendator of Newbottle, who had been abbot of Newbottle, but became Protestant in 1560, and held his benefices *in commendam*. 1560. He got a charter under the Great Seal, 13th May 1567, to him and Lady Helen Leslie, his spouse, of the lands of Bernes in the constabulary of Haddington. 1567. The eldest son of this marriage was created Earl of Lothian, and was ancestor of the Marquises of Lothian.

During the lifetime of Agnes Somerville, Margaret Crichton seems still to have kept up friendly relations with the Earl of Rothes, and several charters were granted to George, Earl of Rothes, and Agnes Somerville his spouse, and to Margaret Crichton, in liferent; for instance, of the lands and barony of Leslie, 10th July 1539, and 1539. another of the same, 13th December 1540; of the 1540.

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lands and barony of Ballinbreich, 5th September 1539; and another of the lands of Drumman. Agnes Somerville died about 1541, and after her death the Earl of Rothes was reunited to Margaret Crichton, as appears from a charter granted

1541. 21st October 1541 to Norman Leslie, son of George, Earl of Rothes, reserving the liferent to Margaret Crichton, spouse of the said earl;* and another of the king's lands of Drumcross in Linlithgowshire, to Margaret Crichton, Countess of

1542. Rothes, 31st May 1542.† By this reunion with Margaret Crichton the Earl of Rothes had the following issue:—

I. ROBERT, who got the lands of Findrassie in Morayshire, and was the founder of the family of Leslie of Findrassie, of which hereafter.

II. LADY AGNES, married to Sir William Douglas of Lochleven. George, Earl of Rothes, in the name of Lady Agnes Leslie, his daughter, and Peter Douglas of Lochleven, for his son William, executed a marriage-con-

1554. tract, 19th August 1554, whereby the said William Douglas was engaged to marry the said Lady Agnes as soon as they came to marriageable years; and William Douglas of Lochleven, with the advice of his curators, John Lord Erskine, James commendator of St. Andrews, and Dame Margaret Erskine, Lady Lochleven, being willing to fulfil the said marriage-contract, obliged himself to comply with all the conditions of the same, 26th November 1554. Sir William Douglas was created Earl of Morton. He got a charter to him and Lady Agnes Leslie his spouse, of the earldom of

* *Registrum Magni Sigilli*, lib. lxxviii. No. 53.

† *Ibid.* lib. lxxviii. No. 189.

Morton, 20th July 1589. The daughters of this marriage were so beautiful, that they were called the pearls of Lochleven.

III. Lady Beatrix, married to Beatoun of Creich.

IV. Lady Euphemia, married to Learmonth of Balcomie.

V. Lady Margaret, married to Archibald, eighth Earl of Angus. She had a charter of the lands and baronies of Abernethy, Bothwell, Douglas, and Dunsyre, in liferent to Margaret Leslie, Countess of Angus, granted with the consent of parliament, 29th November 1591.* 1591.
But there is probably a mistake in the date of this charter, as, according to Douglas,† Archibald, Earl of Angus, married, thirdly, in 1586, Jean, daughter of 1586.
John, tenth Lord Glammis, and that Archibald, Earl of Angus, died in 1588, so that Lady Margaret Leslie 1588.
must have died before 1586. Archibald, Earl of 1586.
Angus, gave a discharge to Andrew, fifth Earl of Rothes, for 2000 merks in lawful payment of 6000 merks, given by George, Earl of Rothes, with his daughter Margaret, spouse to the Earl of Angus, 12th July 1576. 1576.

George, Earl of Rothes, married, fifthly, Isobel Lundy, daughter of Lundy of Lundy, and widow of David, seventh Earl of Crawford, who died in 1542. David, Earl of Crawford, and Isobel 1542.
Lundy his spouse, had charters of Innerarty, and of the customs of Dundee, 11th January 1527; 1527.
of two parts of the lands of Downey in Forfarshire, 12th March 1539; and of Ratherlet in 1539.
Fife, 10th September 1541.‡ By Isabel Lundy 1541.
the Earl of Rothes had no issue.

George, Earl of Rothes, is said to have had an

* Douglas' *Peerage*, vol. ii. p. 429.
† *Ibid.* vol. i. p. 437. ‡ *Ibid.* vol. i. p. 378.

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illegitimate son, Walter, who married the heiress of Corriston, and an illegitimate daughter, married to Lord Kelley.

1588. George, fourth Earl of Rothes, died at Dieppe, 28th November 1558, on his return from France with the commissioners sent from Scotland to attend the marriage of Mary Queen of Scots with Francis, the Dauphin of France. He was succeeded by his son, Andrew, fifth Earl of Rothes.

Norman, Master of Rothes.

NORMAN,

MASTER OF ROTHES.

NORMAN LESLIE, Master of Rothes, was the eldest son of George, fourth Earl of Rothes, by Margaret Crichton, daughter of William, third Lord Crichton of Frendraught. He married Isabel, daughter of John, fifth Lord Lindsay of Byres, but had no issue by her. They got a charter of the lands and barony of Ballinbreich and others to Norman Leslie, Master of Rothes, and to Isabel Lindsay in her virginity, for completing their marriage, and Lady Isabel Lindsay, future spouse of Norman Leslie, son of George, Earl of Rothes, was infefted

1540. in the said lands and barony 22d February 1540. Norman Leslie, son and heir of George, Earl of Rothes, with the consent of the said earl, and of Agnes Somerville, the said earl's spouse, granted a charter to Alexander Leslie of Kininvie, and his heirs, of all the lands of Conrack, Clayhols, and

Fishertown, in the shire of Elgin, to be holden in fee and heritage for ever, of the said Norman and his heirs, for payment of a penny Scots upon the ground of the said lands, at Whitsunday, if demanded allenarlie, dated at Ballinbreich, 27th April 1540. The charter has appended the earl's and Norman's seal, and is subscribed by them and by Agnes Somerville, Countess of Rothes, with her hand, led by William Clark, notary-public. 1540.

Euphemia, prioress of the monastery of Elcho, granted a feu-charter to Norman Leslie, and his heirs-male, of the lands of Kinnaird in Fife, with the manor-place, proceeding on the resignation of Andrew Leslie, son of the deceased Robert Leslie, to be holden by the said Norman Leslie and his heirs-male; whom failing, by his eldest heir-female without division; paying therefor an annual rent of 500 merks—9th January 1540. 1540.

George, Earl of Rothes, resigned his lands and barony of Ballinbreich and others into the king's hands in favour of Norman Leslie, his eldest son and heir, fiar of the earldom, who got a charter of the same, 13th December 1540; and another 1540.

to the same effect, when he granted to his father, the Earl of Rothes, a letter of reversion in the same, upon payment of certain sums of money, which letter of reversion was confirmed by Queen Mary, 14th January 1543. King James V. 1543.

granted a charter of the lands and barony of Ballinbreich to his beloved servant Norman

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Leslie, son of George, Earl of Rothes, in fee and heritage, and to his heirs, for the faithful and free service done by him to the king, and for other reasonable causes, and to the said Earl of Rothes in liferent; to Margaret Crichton, spouse to the said earl, and to Isabel Lindsay, spouse to the said Norman, for all the days of their lives, every one for his own part as mentioned—dated 31st

1542. May 1542; also a charter to Norman Leslie, son of George, Earl of Rothes, in fee, and to the said Earl of Rothes, and Peter and James Leslie, his sons; to Margaret Crichton, the said Norman's mother, and to Isabel Lindsay, the said Norman's spouse, for all the days of their lives, every one

1542. for his own part as specified—21st October 1542.

Norman, Master of Rothes, was one of the principal conspirators and leaders in the murder

1546. of Cardinal Beaton, 29th May 1546. Norman Leslie had been on good terms with the Cardinal, to whom he had granted a bond of manrent. When Colville of Easter Wemyss in Fife was forfeited, his lands were given to the Master of Rothes, but the Cardinal, by his influence, got Colville restored to favour, and the Master of Rothes had to resign the lands of Easter Wemyss in his favour, which so enraged him that he joined the conspirators against the Cardinal.*

* See the account of this affair in Tytler's *History of Scotland*, vol. iii. p. 46.

A parliament was convoked, 29th July 1546, and the conspirators, including the Master of Rothes, and John Leslie his uncle, were declared guilty of treason, and their estates forfeited. George, Earl of Rothes, in conformity with the letter of reversion granted to him by his son Norman, and confirmed to him by the queen, redeemed the family estates, and settled them on his eldest son by Agnes Somerville, Andrew Leslie, who became Master of Rothes after Norman's forfeiture, his elder brother, William Leslie of Cairny, being passed over, probably on account of being implicated in Norman's treason. The Earl of Rothes was also accused of being art and part in the treason, but was acquitted.

After the death of Cardinal Beaton, the conspirators kept possession of the castle of St. Andrews, which was besieged by the royal troops. They opened communication with Henry VIII. and sent Kirkaldy of Grange, Balnaves, and John Leslie, as envoys to the English king. The envoys returned with assurance of Henry's assistance, on condition that they would promote the marriage between Mary, the young Queen of Scots, and the Prince of Wales. The Earl of Arran, the governor of the kingdom, applied to the King of France to obtain his assistance in taking the castle. A French fleet was sent to the Frith of Forth; the siege of the castle was prosecuted with vigour, and the conspirators were

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compelled to surrender at discretion to the French commander, Leo Strozzi, Prior of Capua and a knight of Rhodes. They were carried prisoners on board the fleet, and conveyed to France, where some were confined in the dungeons of various castles in Brittany, and others, including John Knox, were kept chained on board the galleys.

Norman Leslie, Master of Rothes, and Sir William Kirkaldy of Grange, afterwards entered the French service, and greatly distinguished themselves in the war with Charles V., Emperor of Germany. Norman Leslie was wounded at the battle of Renti, 31st August 1554, and died of his wounds fifteen days afterwards. The following account of his death is given in the *Memoirs of Kirkaldy of Grange*, p. 88 :—

1554.

"The battle took place on the plain before Renti, on the 31st August 1554. The French gained a signal victory; but Norman Leslie was doomed to fall, covered with wounds and glory, in which his friend Kirkaldy could not participate, as he was despatched by King Henry on a patrole, or secret and particular duty, the night before the encounter. The day before the battle, the Constable, perceiving by the manœuvres of the Spanish troops, that Charles meant to take possession of certain heights which sloped abruptly down to the camp or bivouac of the French, sent up Leslie's Scottish lances and other horsemen to skirmish with these Imperialists, and

drive them back. Melville, his fellow-soldier, thus describes him:—In view of the whole French army, the Master of Rothes, 'with thirty Scotsmen, rode up the hill upon a fair gray gelding. He had above his coat of black velvet his coat of armour, with two broad white crosses, one before and the other behind, with sleeves of mail, and a red bonnet upon his head, whereby he was seen and known afar off by the Constable, the Duke d'Enghein, and the Prince of Conde.' His party was diminished to seven by the time he came within lance-length of the Imperialists, who were sixty in number, but he burst upon them with the force of a thunderbolt, escaping the fire of their hand-culverins, which they discharged incessantly against him. He struck five from their saddles with his long lance, before it broke into splinters; then drawing his sword, he rushed again and again among them, with the heedless bravery for which he had ever been distinguished. At the critical moment of this unequal contest of seven Scottish knights against sixty Spaniards, a troop of Imperial spearmen was hastily riding along the hill to join in the encounter. By this time Leslie had received several bullets in his person, and finding himself unable to continue the conflict longer, he dashed his spurs into his horse, galloped back to the Constable, and fell, faint and exhausted, from his saddle, with the blood pouring through his burnished armour on the turf.

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"By the king's desire he was immediately borne to the royal tent, where the Duke d'Enghein and Prince Louis of Conde remarked to Henry, that, 'Hector of Troy had not behaved more valiantly than Norman Leslie.'

"The chirurgeon of the royal household dressed his wounds; but his attentions were vain, for the hand of death was now upon the heart of the gallant Leslie, who, being borne off the field, expired of his wounds in the city of Montreuil, fifteen days after the battle, repenting bitterly, with his last breath, his share in the murder of Cardinal Beaton. The King, the Constable, and the whole army, acknowledged his worth and lamented his fate."

Andrew, Fifth Earl of Rothes.

ANDREW,

FIFTH EARL OF ROTHES.

ANDREW, eldest son of George, fourth earl of Rothes, by his third wife Agnes Somerville, succeeded, as fifth Earl of Rothes, on the death of his father, 28th November 1558.

1558.

As has been shown, when Norman, Master of Rothes, was forfeited for the murder of Cardinal Beaton, his father, George, Earl of Rothes, redeemed the family estates which he had formerly resigned in favour of Norman, and settled them on Andrew, his eldest son by Agnes Somerville, passing over William Leslie, his second son by

Margaret Crichton, his first wife, probably because William was concerned in Norman's treason. Buchanan gives another reason for Andrew's preference. He states that the King of France, in consideration of getting the interest of the Hamiltons to favour the union of his son Francis, Dauphin of France, with Mary Queen of Scots, conferred many favours on them and their relations, and particularly, he got reinstated the younger son of George, Earl of Rothes, Andrew, in his father's estate; Andrew being allied to the Hamiltons, having married Grizel Hamilton, daughter of Sir James Hamilton of Finnart and Avandale, natural son of James, first Earl of Arran. Whatever may have been the cause of his preference, Andrew Leslie, fiar of Rothes, was served heir to his deceased father, George, Earl of Rothes, in certain lands lying on the south side of the Flockingate in Dundee, before the magistrates, 20th February 1559; and as lawful heir to his deceased father, George, Earl of Rothes, Provost of Cupar, before the bailies of Cupar, 10th September 1560. 'He and his brother William submitted their respective claims to the earldom to the arbitration of Queen Mary, who, as has been related, pronounced a decreet-arbitral, 15th January 1566, to the effect that Andrew should enjoy the earldom of Rothes, and should infeft his brother William in the lands of Cairny in the Carse of Gowrie, and in an

1559.

1560.

1566.

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See App. No. V.

annual rent of 500 merks out of the lands of Ballinbreich.

Andrew, Earl of Rothes, succeeded his father also as Sheriff of Fife, which office was hereditary in the family; but his claim was opposed by Patrick, Lord Lindsay of the Byres. The Earl of Rothes and Lord Lindsay entered into a submission regarding their mutual claims, 11th
1564. January 1564. The queen granted a charter, confirming to Andrew, Earl of Rothes, the office of Sheriff of Fife, which had belonged to Norman, son of the deceased George, Earl of Rothes, and which was then in the queen's hands by reason of Norman's forfeiture—dated at Linlithgow, 22d
1564. July 1564; also another charter to the same effect, dated at Stirling, 8th May, anno regni
1565. 23, A.D. 1565. Also by a writ, dated 3d June
1566. 1566, the queen promised, on the word of a princess, to maintain Andrew, Earl of Rothes, in the office of Sheriff of Fife against all who might pretend any title to the office. But Patrick, Lord Lindsay of the Byres, still persisted in claiming the office, and he and the Earl of Rothes referred
1573. their claims to arbiters, who, 9th May 1573, decreed that the Earl of Rothes should redeem the office of Sheriff for 5000 merks; and it was agreed that James, Master of Lindsay, should marry Euphemia Leslie, daughter of Andrew, Earl of Rothes, who was to settle on her lands to the value of 500 merks a-year, and give her a

tocher of 5000 merks. Lord Lindsay resigned all claim to the office of Sheriff of Fife, 19th April 1575.

John Gardyn resigned the lands of Newton in favour of Andrew Leslie of Kilmainy, son of George, Earl of Rothes, 31st January 1539, which 1539.
lands were erected into a free barony, called the barony of Newton, in favour of Andrew Leslie, by King James V., 30th June 1541. David, Cardinal 1541.
Archbishop of St. Andrews, with the consent of the Chapter of his metropolitan church of St. Andrews, granted a charter of the lands of Balcaithlie to Andrew Leslie of Kilmainy, son of George, Earl of Rothes, and to his heirs-male; whom failing, to Peter Leslie, his brother, and his heirs-male; whom failing, to James Leslie, his next brother, and his heirs-male—21st April 1540. George, Earl of 1540.
Rothes, granted a charter to his beloved son, Andrew Leslie of Kilmanye, and his heirs-male, whom failing, to Peter Leslie, also his son, and to his heirs and assigns, bearing the name of Leslie, of the lands and barony of Leslie, and others, and the town of Leslie, to be holden of the said earl and his heirs in fee and heritage, giving therefor yearly four pennies Scots at Whitsunday, if demanded, in name of blenk-farm, with a clause of absolute warrandice; reserving, however, to Agnes Somerville his spouse, in liferent, the lands of Drumman, and to Margaret Crichton, also in liferent, the fourth part of the Mains of Leslie called

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the Easter Quarter, and the fourth part of the lands of Ballingal—dated at Ballinbreich, 7th June 1540. Queen Mary, 31st March 1549, granted a letter of regress, bearing that Peter and David Crichton had given to Andrew Leslie, now Master of Rothes, fiar of Wester Newton, a letter of reversion in certain lands, on payment of a certain sum; and the queen, for faithful services done, permitted that when the said sum was paid, it should be lawful for Andrew Leslie to re-enter the said lands. Andrew Leslie, Master of Rothes, and Grizel Hamilton his spouse, obtained
1551. sasine in the barony of Newton, 8th June 1551; and Andrew, Master of Rothes, got a precept furth of the Chancery for his infeftment in the
1552. lands of Easter Newton, 9th February 1552. Andrew Leslie, fiar of the earldom of Rothes, and George, Earl of Rothes, liferenter of the same, granted a charter, 7th January 1552, to John Bethune of a portion of the lands of Drummain, in the barony of Leslie, holden of Sir John Dishington, who held them of Norman Leslie, formerly fiar and Master of Rothes, and which lands fell into the hands of the queen by the forfeiture of the said Norman for treason, and were granted by the queen to the said Andrew, fiar of Rothes, in fee, and to the said George, Earl of Rothes, in liferent. Andrew Leslie of Kilmainy, Master of Rothes, discharged George, Earl of Rothes, his father, and all others who had

intromitted with the rents of the lands of Leslie and others, and constituted the said earl his cessioner and assignee in and to the said lands, and also appointed the said earl to be his bailie in the said lands all the days of his life—18th September 1555. Andrew, Earl of Rothes, granted a charter to Adam Allan, of an annual rent of 100 merks out of the lands of the Mains of Leslie, 30th January 1573, and there is a renunciation on the back of the charter to the earl for £750 Scots, dated 8th April 1575. James Macgill of Renkeilor, son and heir of James Macgill, Lord Register, and Janet Adamson his relict, gave a discharge to Andrew, Earl of Rothes, for all sums which they could claim from the said Earl or his deceased father, George, Earl of Rothes, 20th February 1581. Robert, Earl of March, Commendator of the Priory of St. Andrews, granted to Andrew, Earl of Rothes, and Jean Ruthven his spouse, a tack of the teind-sheaves of the lands of Newton, 15th July 1583.

1555.

1573.

1575.

1581.

1583.

Elizabeth Gardyn resigned the lands called Ladyhand in favour of Andrew, Earl of Rothes, 30th March 1586, and again, 15th March 1589. King James VI. granted a charter of the lands of half the town of Kilmany and others, in favour of Andrew, Earl of Rothes, and Jean Ruthven his spouse, dated at Holyrood, 22d February 1588. John, Commendator of the Abbey of Aberbrothwick, with the consent of the Chapter,

1586-9.

1588.

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granted to Andrew, Earl of Rothes, and his heirs, a tack of the teinds of Higham in Fife, for nineteen years from Lambmas 1596, for an annual

1594. rent of £20 scots, dated 7th May 1594. Andrew, Earl of Rothes, with the consent of Janet Durie his spouse, granted a charter of the lands of Newton to George Leslie, his son, and his heirs-male; whom failing, to John Leslie, also his son, and his heirs-male; whom failing, to Patrick Leslie, Commendator of Lindores, also his son,

1596. and his heirs-male, 16th June 1596. Andrew, Earl of Rothes, with the consent of Janet Durie his spouse, bound himself to infeft James, Master of Rothes, his eldest son by his first spouse Grizel Hamilton, in the office of Sheriff of Fife,

1599. 6th September 1599.

Andrew, Earl of Rothes, with the consent of Dame Janet Durie, Countess of Rothes, his spouse, as principal, and James, Lord Lindsay of the Byres, Patrick Leslie, Commendator of Lindores, and Robert Durie of that Ilk, as cautioners, made a contract with James, Master of Rothes, eldest son of the said Andrew, Earl of Rothes, by Grizel Hamilton his first spouse, as principal, and John Larmonth, George Ayton, and James Clark of Balbiray, as cautioners, bearing that the said parties, by counsel of their friends, Alexander Seton, Lord of Fyvie, President of the Court of Session, Patrick Leslie, Commendator of Lindores, son of the said Andrew, Earl of Rothes, and Sir

Robert Melville of Murdcairny, the said earl's son-in-law, being resolved to remove all occasions of variance or actions at law that might arise through the decease of the said Andrew, Earl of Rothes, betwixt the said James, Master of Rothes, Patrick Leslie, Commendator of Lindores, Dame Janet Durie, then spouse of the said earl, and the bairns procreate betwixt the said earl and Janet Durie his spouse, and for the continuance of friendship amongst them all, for the well-being of the ancient House of Rothes, and for the preservation of the estate, in recovering and preserving whereof the said Andrew, Earl of Rothes, had sustained great trouble and law-pleas, and had been at extraordinary expense for maintaining the ancient liberties of the same: and James, Master of Rothes, bearing in mind these premisses, and the fatherly affection of Andrew, Earl of Rothes, shown to him by infefting him in fee of most part of the estate, and the care taken by the said earl in providing for the Commendator of Lindores, and the said earl's children by Janet Durie his spouse, out of the rents and lands aftermentioned, whereby they, as members of the House of Rothes, would be able, after the death of the said earl, to honour and serve him, the said Master of Rothes, and his successors: Therefore the said parties agreed that the said earl should infeft Janet Durie his spouse in liferent, and George Leslie, his son by her, in fee, in the

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Andrew, Fifth Earl of Rothes.

lands of Newton; the said Janet Durie in liferent, and John Leslie, his son by her, in fee, in the lands of Lumbanny; Patrick Leslie, Commendator of Lindores, brother-german of the said James, Master of Rothes, in the lands of Pitcairlies, in the barony of Ballinbreich; and the said James, Master of Rothes, confirmed the charters granted by his father, the said Andrew, Earl of Rothes, to Janet Durie, his spouse, and to his children by her, and renounced all claim which he had or might have to the foresaid lands, but retained the superiority of the lands of Lumbanny and Pitcairlies, as pertaining to him as fiar of the barony of Ballinbreich. James, Master of Rothes likewise ratified the contract of marriage betwixt the said earl, his father, and Janet Durie, his present spouse, and obliged himself to maintain the said Janet Durie and her children in possession of the forementioned lands; and he gave his consent to the infeftment of the forementioned persons in the different lands granted to them. In return for these obligations, Andrew, Earl of Rothes, bound himself to infeft James, Master of Rothes, and the heirs-male procreate or to be procreate of his body, whom failing, his nearest and lawful heir bearing the name of Leslie, in the office of Sheriff of Fife, with all freedoms and liberties of the same; reserving to himself only all bygone sasines, oxen, bloodwrits, and unlawries, which might fall before the infeftment of the

said Master of Rothes,—the said Master of Rothes to have the reversion of the lodgings, lands, orchards, and others in Cupar; and in order that the said Master of Rothes and his heirs might attain the full right and property of all the lands of the earldom of Rothes, and redeem the wadsetts, and for the continuation of the noble estate of the House of Rothes, the said earl disponed to the said Master of Rothes all rights, claims, reversions, and bonds, of all lands and annual rents, excepting the reversion of the lands of Newton, Pitcairlies, and others, in which the forementioned persons were now infeft. He likewise assigned to the said Master of Rothes all the tacks of teinds which he held; and, as the Mains of Parkhill and Inches of Lindores were then laboured by him, the said earl, and plenished with his corn and goods, and were commodious for entertainment to the House of Rothes, in order that the Master of Rothes be not burthened with plenishing the same after the earl's death, the earl ordained, with the consent of Janet Durie, his spouse, that immediately after his death the Master of Rothes should enter into possession of the said lands, and also of the moveable utensils, domicells, and silver work in the house of Ballinbreich, reserving to Janet Durie and her bairns as much of the same as was specified in a special inventory, dated 16th September 1599. 1599.

In consequence of the above agreement, James,

CHAP. I.

Andrew, Fifth Earl of Rothes.

Master of Rothes, obtained a charter of the office of Sheriff of Fife from King James VI., 14th January 1600.

Andrew, Earl of Rothes, granted a presentation as patron of the chaplainry of Rothes, directed to the Right Honourable Moderator of the Presbytery of Elgin, bearing that the said chaplainry was then vacant in his hands as patron, by the decease of Alexander Leslie, chaplain thereof; and the earl, being willing that the same should be now provided to another learned man, able to preach the word of God, and to administer the sacraments in Christ's kirk, had found out a beloved brother in the Lord, Mr. Leonard Leslie, a man of good literature, honest life and conversation, able to preach the word, administer the sacraments, and exercise discipline in Christ's kirk: Therefore he nominated and presented the said Mr. Leonard Leslie to the said chaplainry for all the days of his life, and to all the privileges, trusts, rents, and emoluments pertaining thereto; and to all the lands, manses, glebes, houseyards, teinds, teind-sheaves, and dues whatsoever pertaining to the said chaplainry; and he requested their godly wisdoms to take trial of the said presentee's literature, life, conversation, and ability to serve the function of minister, and, if found qualified, to receive and admit him to the said chaplainry, and to authorise him with their admission in due form; dated 10th March 1604.

1604.

David Nairn made a contract with Andrew, Earl of Rothes, and Dame Janet Durie his spouse, for themselves, and in behalf of George, John, and Robert Leslie, their sons, whereby he agreed to sell to Janet Durie in liferent, and to George Leslie her son, and his heirs; whom failing, to John Leslie his brother, and his heirs; whom failing, to Robert Leslie and his heirs; whom failing, to Patrick Leslie of Lindores, certain lands of Easter Newton, 21st March 1604. John Lumsden 1604.
of Cushney granted to Andrew, Earl of Rothes, a letter of reversion in the teinds of the parsonage and vicarage of Cushney, 10th September 1606. 1606.
Andrew, Earl of Rothes, granted a precept of clare constat, bearing that James, Archbishop of Glasgow, died seized in an eighth part of the lands of Drumman, and that Helen Lundy, daughter of the deceased Lady Janet Bethune, sister of the archbishop, was one of his two heirs-portioners, 22d June 1609. Mr. Leonard Leslie, 1609.
parson of the parish of Rothes, with the consent of Andrew, Earl of Rothes, patron of the kirk of Rothes, and of Alexander, Bishop of Moray, and of the dean and chapter of the cathedral of Moray, granted a tack of the teinds of the lands of Concraigie, Claypots, and others, in the diocese of Moray, to Andrew Leslie, his brother, and his heirs, for his lifetime and twice nineteen years after his decease, at a yearly rent of certain quantities of victual as specified; 3d February 1610. 1610.

CHAP. I.

Andrew, Fifth Earl of Rothes.

Andrew, Earl of Rothes, married, first, Grizel Hamilton, daughter of Sir James Hamilton of Finnart, son of James, Earl of Arran. James, Earl of Arran, in behalf of his niece Grizel Hamilton, daughter of the deceased Sir James Hamilton of Finnart, made a contract of marriage with Andrew Leslie of Newton, fiar of the earldom of Rothes, son of George, Earl of Rothes, whereby it was agreed that the said Andrew Leslie should marry the said Grizel Hamilton, dated 28th June

1548. 1548. By Grizel Hamilton, Andrew, Earl of Rothes, had issue—

I. JAMES, Master of Rothes, of whom hereafter.

II. PATRICK LESLIE, Commendator of Lindores, founder of the family of Leslie, Lords Lindores, and ancestor of the family of Leslie, Lords Newark, of whom hereafter.

III. SIR ANDREW LESLIE of Lumbanny. He got the lands of Lumbanny from his father, and died without issue

1603. in March 1603, when his nephew, Patrick, Lord Lindores, succeeded him, and was served heir to him in

1609. the lands of Lumbanny, 9th April 1609.

IV. LADY EUPHEMIA LESLIE, married to James, seventh Lord Lindsay of the Byres. Patrick, Lord Lindsay of the Byres, in behalf of his son, James, Master of Lindsay, signed a marriage-contract whereby the said James, Master of Lindsay, agreed to marry the Lady Euphemia Leslie, daughter of Andrew, Earl of Rothes ; and the Earl of Rothes bound himself to infeft the said Lady Euphemia in lands worth 500 merks a-year, and to

1573. give her a tocher of 5000 merks—9th May 1573. James, Lord Lindsay of the Byres, had a charter to him, and to Lady Euphemia Leslie his spouse, of the lands of Pitcravy and Montscheill in Fife, 16th Feb-

1574. ruary 1574.

V. LADY ELIZABETH LESLIE, married, first, to David, son and heir-apparent of Sir John Wemyss of Wemyss, without issue ; and, secondly, to James, first Earl of Findlater.

Andrew, Earl of Rothes, married, secondly, Jean, daughter of Patrick, Lord Ruthven, and relict of Henry, second Lord Methven. King James VI. granted a charter of the lands and barony of Newton to Andrew, Earl of Rothes, and Jean Ruthven, Lady Methven, his then future spouse, dated 22d September 1573. By Jean Ruthven, Andrew, Earl of Rothes, had issue— 1573.

I. LADY MARGARET LESLIE, married to Sir William Cunningham of Caprington.

II. LADY MARY LESLIE, married to Robert, first Lord Melville of Raith.

Andrew, Earl of Rothes, married, thirdly, Janet, daughter of David Durie, of that Ilk, in Fife. He granted the lands and barony of Newton, comprehending the lands of Kilmainy, to Janet Durie, his future spouse, in liferent, 6th July 1592. By her he had issue— 1592.

I. GEORGE LESLIE, who got a charter of the lands and barony of Newton. He died unmarried.

II. SIR JOHN LESLIE of Newton, ancestor of the fifth and subsequent Lords Lindores. He succeeded his brother George in the barony of Newton, and got a charter from King James VI. confirming a charter granted by the deceased Andrew, Earl of Rothes, of the lands and barony of Newton, in favour of George Leslie, his son, and his heirs ; whom failing, to John Leslie, now of Newton, also his son—31st March 1620. 1620.

III. ROBERT LESLIE, who died without issue.

IV. LADY ISABELLA LESLIE, married to James, Master of Sinclair.

CHAP. I.

Andrew, Fifth Earl of Rothes.

Andrew, fifth Earl of Rothes, died in 1611, and was succeeded by his grandson John, sixth Earl of Rothes, son of the deceased James, Master of Rothes, who died before his father in 1607. 1607.

James, Master of Rothes.

JAMES,

MASTER OF ROTHES.

JAMES, Master of Rothes, was the eldest son of Andrew, fifth Earl of Rothes, by his first wife Grizel Hamilton.

James, Master of Rothes, sold to John Law an annual rent of 40 merks out of the lands of the Mains of Leslie, redeemable for 400 merks, 6th June 1587. 1587. David Lathrick renounced an annual rent of 200 merks out of the lands of the Mains of Leslie, in favour of James, Master of Rothes, in consideration of having received from him the sum of 2000 merks, 30th March 1597. 1597. James, Master of Rothes, with the consent of Catherine Drummond, his spouse, granted to his beloved servant, James Ayton, and his heirs-male, a charter of the lands of Balquhimrie, reserving the life-rent of Andrew, Earl of Rothes, 5th January 1598. 1598. David Lindsay renounced an annual rent of 50 merks out of the mill and lands of Leslie, in favour of James, Master of Rothes, having received 500 merks for the same, 9th June 1598. 1598. King James VI. granted a charter of the lands

James, Master of Rothes.

and baronies of Ballinbreich, Taces, Cairny, and others, to James, Master of Rothes, and to James Leslie, his eldest son and heir-apparent, and his heirs-male; whom failing, to George Leslie, his second son, and his heirs-male; whom failing, to the heirs whomsoever of James Leslie, eldest son of the said James, Master of Rothes—25th July 1598. James, Master of Rothes, had a charter of the office of Sheriff of Fife, on the resignation of his father, Andrew, Earl of Rothes, 14th January 1601. James, Master of Rothes, executed a testament, nominating to be tutor to his bairns Mrs. Catherine Drummond, his spouse; and failing her, his good-son, Alexander, Lord Fyvie; and failing him, his good-brother, James, Lord Drummond—27th June 1604.

1598.

1601.

1604.

James, Master of Rothes, married, first, Margaret Lindsay, daughter of Patrick, sixth Lord Lindsay of the Byres. Patrick, Lord Lindsay, on behalf of Margaret Lindsay his daughter, made a marriage-contract with Andrew, Earl of Rothes, on behalf of his son James, Master of Rothes, whereby it was agreed that the Master of Rothes should marry Margaret Lindsay; dated at Struthers 21st February 1574. Andrew, Earl of Rothes, resigned the lands and barony of Leslie, in favour of his son James, Master of Rothes, and Margaret Lindsay, his said son's future spouse, and they got a charter of the said lands from King James VI., dated at Holyrood,

1574.

CHAP. I.

James, Master of Rothes.

28th March 1575; also a charter of the lands of Parkhill; also a charter of the lands and barony of Ballinbreich and others, to James, Master of Rothes, and Margaret Lindsay, and the heirs-male to be procreate betwixt them; reserving the liferent of Andrew, Earl of Rothes.

By Margaret Lindsay, James, Master of Rothes, had issue—

I. JAMES, who got a charter of the lands and barony of Ballinbreich and others, dated at Falkland, 25th July 1598, and was infefted in the same on the same day. He died unmarried, before his father, about 1604. Alexander, Earl of Dunfermline, got a gift of the ward and non-entry of the several lands which belonged to the deceased James Leslie, eldest son of James, Master of Rothes, which lands were in the king's hands since the decease of the said James Leslie during the time of his ward; and also of the marriage of John Leslie, brother and heir of the said deceased James Leslie, and in the event of the death of the said John Leslie unmarried, of the marriage of any heirs, male or female, of the said deceased James Leslie, with all the profits of the said marriage—dated at Whitehall, 12th February 1605; which gift of ward, non-entry, and marriage, the said Alexander, Earl of Dunfermline, assigned to James, Master of Rothes, 2d January 1607.

1598.
1604.
1605.
1607.

II. GEORGE, who died unmarried before his father.

III. MARGARET, married to John Murray, minister at Dunfermline, son of Robert Murray of Abercairney: she granted a discharge to John, sixth Earl of Rothes, her brother, 9th July 1613.

1613.

IV. ISABEL, married to Robert Lundie of Newhall. James, Master of Rothes, on behalf of Isabel Leslie, his daughter, made a contract of marriage with William Lundie of that Ilk, on behalf of his son, Robert

Lundie, whereby it was agreed that the said Robert Lundie should marry Isabel Leslie—6th February 1597.

V. AGNES, married to Andrew Wardlaw of Torrie. Agnes Leslie, daughter of James, Master of Rothes, granted a discharge, 23d April 1605, bearing that by her marriage-contract with Andrew Wardlaw, younger of Torrie, dated 2d April 1605, her father was bound to pay £10,000 Scots, and had provided and paid 5000 merks. 1605.

VI. GRIZEL, married to Alexander, Lord Fyvie, first Earl of Dunfermline. Alexander, Lord Fyvie, President of the Council and College of Justice, made a contract of marriage with James, Master of Rothes, in behalf of Grizel Leslie, his daughter, whereby he agreed to marry the said Grizel, dated at Leslie, 27th October 1601. Grizel Leslie, Countess of Dunfermline, died 1601. before 4th November 1606, when James, Master of 1606. Rothes, her father, granted a charter to Alexander, Earl of Dunfermline, bearing that by the marriage-contract of the deceased Lady Grizel Leslie, he bound himself to pay to the said earl the sum of 30,000 merks, of which sum 10,000 merks were paid; and the Master of Rothes sold to the said earl certain annual rents out of the lands of Leslie.

Margaret Lindsay died before 1594, in which 1594. year James, Master of Rothes, married, secondly, Catherine Drummond, daughter of Patrick, third Lord Drummond. By his marriage-contract, James, Master of Rothes, bound himself to infeft Catherine Drummond, his future spouse, in the lands of the Mains of Leslie, and after the decease of Andrew, Earl of Rothes, in the lands of Higham. By her, James, Master of Rothes, had issue—

I. JOHN, who succeeded his grandfather as sixth Earl of Rothes.

CHAP. I.

James, Master of Rothes.

II. JEAN, married to Alexander Menzies of Weem. John, sixth Earl of Rothes, on behalf of his sister, Jean Leslie, made a marriage-contract with Duncan Menzies of that Ilk, on behalf of his son, Alexander Menzies, whereby it was agreed that the said Alexander should marry the said Jean Leslie—8th October 1623.

1623.

James, Master of Rothes, died before his father,

1607. Andrew, Earl of Rothes, in March 1607.

John, Sixth Earl of Rothes.

JOHN,

SIXTH EARL OF ROTHES.

JOHN, only surviving son of James, Master of Rothes, by Catherine Drummond, his second wife, succeeded, as sixth Earl of Rothes, on the death

1611. of his grandfather, Andrew, fifth Earl, in 1611.

James, Earl of Perth, was appointed tutor to John, Lord Leslie, and Lady Catherine Drummond renounced the office of tutor to her son,

1608. John, Lord Leslie, 18th December 1608. John, Lord Leslie, Sheriff-Principal of Fife, with the consent of James, Earl of Perth, his tutor, granted a commission to Andrew, Earl of Rothes, his grandfather, to act as Sheriff in his name while he was under the age of fourteen years—3d November 1608. Alexander, Earl of Dunfermline, Lord Chancellor of the kingdom, 20th June

1611. 1611, constituted John, now Earl of Rothes, his cessioner to the non-entry of the office of Sheriff of Fife, which had been in the king's hands since the decease of James, Master of Rothes, in March

CHAP. I.

John, Sixth Earl of Rothes.

1607. John, Earl of Rothes, was served heir to his deceased brother, James, Master of Rothes, in the barony of Rothynorman, and in the lands and barony of Cushney, 9th April 1613;* in the lands and barony of Cairney, and others; in the lands and barony of Rothes;† in the lands of Parkhill in Fife; in the lands or islands of Redinches, and others;‡ as heir to his great grandfather, George, Earl of Rothes, 28th February 1621;§ and as heir to George, Earl of Rothes, *abavi proavi.*‖ 1613. 1621.

John, Earl of Rothes, granted a discharge to Alexander, Earl of Dunfermline, his tutor during his pupillarity, dated December 1616; and Alexander, Earl of Dunfermline, granted a discharge to John, Earl of Rothes, for 20,000 merks due by the marriage-contract of Grizel Leslie, spouse of the said Earl Alexander, and sister of the said Earl John, dated 11th September 1617. John, Earl of Rothes, was made a burgess of Edinburgh, 26th June 1617; of Elgin, 26th August 1623; and of Glasgow, 5th May 1637. He executed a contract regarding the lands of Conland, with Michael Arrot of that Ilk, 25th June 1622. 1616. 1617. 1617-23. 1637. 1622.

A decreet of improbation was issued, 31st March

* *Inquisitiones Speciales Vicecomitatus de Aberdene*, No. 583.

† *Inquisitiones Speciales Vicecomitatus de Elgin*, Nos. 185-189.

‡ *Inquisition of Retours Abreviate*, No. 1549, folio 11.

§ *Inquisitiones Generales*, lib. vii. 356, No. 942.

‖ *Ibid.* No. 943.

CHAP. I.

John, Sixth Earl of Rothes.

1620, at the instance of John, Earl of Rothes, and the king's advocate, against John Leslie, Baron of Balquhain, John Leslie of Wardis, John Leslie of Ardsier, John Leslie of Dundurcus, John Leslie, younger of Blairdowack, George Gordon of Dalperrie, John Gordon of Newton, Robert Elphinstone of Glack, James Crichton of Frendraught, George Forbes of Auchintoul, Robert Gordon of Halhead, John Johnston of Caskieben, John Grant of Freuchie, John Grant of Mullbean, and others, libelling upon the earl's title to his whole estates, and calling for the production of all writs that might affect the same, granted by the said John, Earl of Rothes, the pursuer; James, Master of Rothes, his brother; James, Master of Rothes, his father; Andrew, Earl of Rothes, his goodsire; George, Earl of Rothes, his grandsire; William, Earl of Rothes, his fore-grandsire; George, Earl of Rothes, his fore-grandsire's brother; George, Earl of Rothes, his fore-grandsire's goodsire; or by King James VI. or any of his predecessors, Kings of Scotland.

John, Earl of Rothes, raised an action of reduction against John Lumsden of Cushney, and called for the production of the charter, and of the infeftment thereon, granted by King James IV. to Robert Lumsden of Cushney, of the lands of Fowlis Mowat, Cushney, Knockreach, Halhead, and others, pertinents of the barony of Ballinbreich, bearing that the said lands were granted to the said Robert Lumsden, as fallen into the

king's hands by reason of the decreet of recognition—dated 22d January 1509; also for the production of a charter of the lands of Halhead, to Gordon of Halhead; also for the production of all charters of the said lands granted by James IV., James V., Queen Mary, James VI.; John, Earl of Rothes, the pursuer; James, Master of Rothes, his brother; James, Master of Rothes, his father; Andrew, Earl of Rothes, his goodsire; George, Earl of Rothes, his grandsire; William, Earl of Rothes, his fore-grandsire; and by George, Earl of Rothes, his fore-grandsire's brother; and sought to have all such writs and charters reduced, for the following reasons:—because long before the same were granted, George, Earl of Rothes, fore-grandsire's brother to John, Earl of Rothes, the pursuer, was heritably infefted in the said lands; because, though the decreet of recognition in 1509 was given upon the compearance of the said George, Earl of Rothes, yet, by a special compact with the king's treasurer, the said earl was to receive a new infeftment in the said lands upon payment of a compensation of 2000 merks; because, after this decreet and special compact, Earl George died without issue, and Lumsden of Cushney and Gordon of Halhead took advantage of the time, and of the troubles of the House of Rothes, and procured infeftment from the king in the said lands, and the king thereafter being humbly desired to give infeftment to William Leslie,

CHAP. I.

John, Sixth Earl of Rothes.

brother to Earl George, conform to the said special compact, by his precept under the Signet in July 1513 acknowledged the foresaid condition, and granted to the said Earl William and his heirs the said lands; but the said signature remained unexpede, on account of the death of the king, James IV., and of the said Earl William, who were both slain at Flodden, 9th September 1513; and George, Earl of Rothes, son of the said deceased Earl William, having meaned himself to King James V. and to the parliament convened in March and July 1515, got confirmed to him the composition made in 1509; and the king and parliament declared all things done in prejudice of the said Earl George contrary to the terms of the compact, to be of no avail, form, or effect, and that consequently the infeftment granted to Lumsden of Cushney and Gordon of Halhead should be reduced. The decreet of certification is dated 12th December 1622. The above infeftments were reduced, and, 11th February 1624, John Lumsden of Cushney, and Robert Lumsden, his son and heir, granted a bond to John, Earl of Rothes, bearing that King James IV. had infefted the deceased Robert Lumsden of Midlar, grandfather of the said John Lumsden, in the lands of Fowlis Mowat, and others, then in the king's hands, to be holden by ward and relief, and that the said charter contained a clause that, as the said lands were holden of the Earls of Rothes

1513.

1515.

1622.

1624.

before, therefore, how soon the Earl of Rothes for the time should recover the barony of Ballinbreich from the king, then the said Robert Lumsden should take the said lands holden of the Earl of Rothes and his successors; therefore, the said John and Robert Lumsden acknowledged John, Earl of Rothes, and his heirs, to be their only immediate superiors.

John, Earl of Rothes, raised another action of reduction against Walter Ross of Kindas, and David Ramsay elder, and David Ramsay younger of Balmain, and called for the production of all writs and charters of the lands of Fethus in Forfarshire, of Balmain in Kincardineshire, and of Kildithus in Inverness, granted by the said earl or his predecessors to the said defenders or their predecessors, and prayed to have the said writs and charters lawfully reduced, 11th November 1623. The Court of Session appointed the 8th day of January then ensuing to the defenders for the production of the writs called for. In July 1626, John, Earl of Rothes, ratified the charter of the lands of Balmain, granted in 1510 by King James IV. to Sir John Ramsay, the said lands being then in the king's hands by reason of a decreet of recognition, issued against George, Earl of Rothes—David Ramsay, now of Balmain, having paid to the said John, Earl of Rothes, the sum of 10,000 merks Scots, in consideration of which the said earl resigned the lands of Balmain in

1623.

1626.

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John, Sixth Earl of Rothes.

favour of the said David Ramsay, and granted him a deed of warrandice from all acts and deeds of the said earl, and of others specified, and declared that it should be lawful to the said David Ramsay to question the decreet of non-entry and infeftment made by King James IV. as far as the same concerned, or might be extended to, the lands of Pitnamoon; and the earl delivered up to David Ramsay a charter granted by Alexander, Earl of Ross, to Sir George Leslie of Rothes, of the lands of Eily, Balmain, and others, in the
1398. barony of Kincardine, dated 2d November 1398; also a charter of confirmation granted by Robert
1400. III. in 1400, confirming a charter granted by Alexander, Earl of Ross, to Sir George Leslie of Rothes, of the lands of Woodfield, Fesky, Pitnamoon, Mill of Kincardine, Fettercairn, Balmain, Eily, and others—dated at Perth, 27th February
1400. 1400; also a charter granted by King James III.,
1475. 8th February 1475, to George, first Earl of Rothes, on his own resignation after the forfeiture of John, Earl of Ross; also a copy of the decreet of non-
1507. entry, dated 3d March 1507, pronounced against George, second Earl of Rothes.

William Forbes of Craigievar granted a bond to John, Earl of Rothes, bearing that the earl had disponed to David Ayton the ward and non-entry of the lands of Cannuly and others, in the barony of Cushney, and that the said William Forbes obliged himself to purchase and procure a

declarator of non-entry, and to establish the right thereof to the said David Ayton, to the end that he might have the said lands disponed to him in free farm, and also to relieve the earl's damage, costs, or expenses incurred in granting the said disposition; 4th August 1620. James, Earl of Moray, Lord Drum and Abernethy, granted a charter of the lands of Bancliro and others to John, Earl of Rothes, and his heirs-male, to be holden in feu for the yearly payment of £5 : 3 : 4 Scots, 16th July 1621. John, Earl of Rothes, obtained general livrie before the Sheriff-depute of Fife, as heir to George, Earl of Rothes, 28th February 1624. He was also served heir of George, Earl of Rothes, *abavi proavi*, in the lands of Pitnamoon, Mill of Kincardine, and Fettercairn, in the parish of Fordoun, 22d January 1636. John Wemyss, parson of Rothes, granted a tack of all the teinds of the parish of Rothes for all the days of his life, and for five years after his decease, to John, Earl of Rothes, for an annual payment of 300 merks; dated at Elgin, 5th March 1624.

1620.

1621.

1624.

1636.

1624.

John, Earl of Rothes, sold to John Grant of Carron, and his heirs, the Mains and Mill of Rothes, for £10,180 Scots, reserving to himself the castle-tower with the castle-bank, and the green under the walls thereof, 28th June 1627 and 4th July 1627. The earl constituted John Grant and his heirs, constables and heritable keepers of

1627.

CHAP. I.

John, Sixth Earl of Rothes.

the tower, fortalice, and castle of Rothes, under the condition that the said John Grant and his heirs should remove themselves, their wives, bairns, and servants, whenever the earl or his heirs had a mind to reside in the castle, giving fourteen days' premonition of such intention; also, that they should deliver up the keys of the castle to the earl when he resided there; and providing that, if John Grant or his heirs did not remove after fourteen days' notice, it should be lawful for the earl to denounce him rebel, and if need be to use the king's keys to make open doors; also, because the feuars of the barony of Rothes were obliged to deliver their feu-farm duties, kayne, and customs, at the castle of Rothes, it was agreed that the earl should have a sufficient girnel-house within the castle, for receiving and keeping the said feu-customs. John Grant of Carron having died indebted to John, Earl of Rothes, his creditors assigned the bonds granted by him to them, to David Ayton, servitor to the said Earl,

1632. 21st September 1632. A decreet of apprising

1633. followed, dated March 1633; and John, Earl of Rothes, superior of the lands of the Mains of Rothes, with the Mill of the same, and others, granted a charter of apprising of the said lands and others, to David Ayton, 19th July 1633.

Robert Ayton made a renunciation, 5th May

1628. 1628, bearing that Andrew, late Earl of Rothes, had sold to Robert Ayton, the renouncer's

grandfather, various annual rents out of the lands of Leslie, and that he, Robert Ayton, at the request of John, now Earl of Rothes, renounced the infeftments of the said annual rents. John, Earl of Rothes, granted a charter of the lands of Balquhimrie to David Ayton, 11th March 1629; 1629.
also a charter confirming to Walter Herriot, fiar of Ramorny, the superiority of certain lands specified, 10th April 1629. Leonard Leslie of Blackhill disponed the lands of Blackhill to John, Earl of Rothes, 10th June 1630. Sir Alexander 1630.
Gordon of Cluny disponed irredeemably to John, Earl of Rothes, the lands of Tillyfour, with the mill, tenements, riggs, crofts, and others of the same, and also the great lodging in Aberdeen, by a deed dated King's Street, London, 15th December 1632; also by a deed of the same date, Sir 1632.
Alexander Gordon of Cluny disponed to John, Earl of Rothes, heritably and irredeemably, the lands of Mains of Wardis, Wraes, Greenhall, Scotstown, Glenderston, and others, with the bailliary of the same, lying in the shire of Aberdeen, to be holden blenk of the disponer.

John, Earl of Rothes, executed a deed of entail, dated at Haddington, 29th July 1640, narrating 1640.
that he had only one male child by his deceased dearest bedfellow, Anna, Countess of Rothes—namely, John, Lord Leslie, his heir—on whom he settled all his titles and estates, and on his heirs-male; whom failing, on the eldest daughter

CHAP. I.

John, Sixth Earl of Rothes.

of the said John, Lord Leslie, and the heirs-male of her body; whom failing, on the second, third, or other daughters, successively, of the said John, Lord Leslie, and their heirs-male; and failing the daughters of John, Lord Leslie, and their heirs-male, on the eldest heir-male gotten of the body of Lady Margaret Leslie, daughter of John, Earl of Rothes, the entailer; whom failing, on the second, third, or fourth son of the said Lady Margaret, by her spouse, Colonel Alexander Leslie, fiar of Balgony; whom failing, on the second son of Lady Mary Leslie, the entailer's second daughter, by her spouse, Hugh, Lord Montgomerie, and his heirs-male; whom failing, on any daughter or daughters, in succession, which the entailer might have by another marriage, and their heirs-male; whom failing, on the heirs-male of John Leslie of Newton; whom failing, to return to the said John, Earl of Rothes, the entailer, and his heirs whomsoever.

John, Earl of Rothes, married Lady Anne Erskine, second daughter of John, Earl of Mar. John, Earl of Rothes, with the consent of his curators, executed a contract of marriage with John, Earl of Mar, Lord Erskine, in behalf of his second daughter, Lady Anne Erskine, dated at Holyrood, 10th December 1614. By her, who died 2d May 1640, the Earl of Rothes had issue—

1614.

1640.

I. JOHN, who succeeded him, and was created Duke of Rothes.

II. LADY MARGARET, married, first, to Alexander Leslie, Lord Balgony. John, Earl of Rothes, in behalf of his daughter, Lady Margaret Leslie, executed a marriage-contract with Sir Alexander Leslie of Balgony, General of the Swedish army in Westphalia, and Dame Agnes Renton his spouse, in behalf of Colonel Alexander Leslie, their eldest son, whereby the said Sir Alexander Leslie bound himself to infeft Lady Margaret Leslie in certain lands in liferent, and obliged himself not to redeem certain lands from his son, and not to sell his other lands, or burden them, except with the sum of 100,300 merks, of which 72,000 merks should be provided for his daughters, Christian, Janet, Agnes, and Mary, and should any of them die, their portions were to fall to the others ; and if any of them should be *foris familiæ* during their father's lifetime, their infeftment should be void ; and the Earl of Rothes bound himself to pay as the tocher of Lady Margaret Leslie the sum of 6000 merks at Whitsunday 1637, and 4000 merks at Whitsunday 1638. Sir Alexander Leslie of Balgony, Field-marshal to the Queen of Sweden, and Dame Agnes Renton his spouse, granted a discharge to John, Earl of Rothes, for the above 10,000 merks, 16th June 1638. Lady Margaret Leslie married, secondly, Francis, second Earl of Buccleuch ; and thirdly, David, second Earl of Wemyss, and had issue to all three.

1637.

1638.

III. LADY MARY, married to Hugh, Lord Montgomerie, seventh Earl of Eglinton. Hugh, Lord Montgomerie, gave a discharge to John, Earl of Rothes, for 15,000 merks, in part payment of the tocher agreed to be paid by the earl with his daughter, Lady Margaret Leslie, 31st December 1636.

1636.

John, Earl of Rothes, died in August 1641. He was a nobleman of popular talents and persuasive eloquence. He was one of the leaders of the opposition to the measures of King Charles I., in the parliament of 1633, when he asserted that

1641.

1633.

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John, Sixth Earl of Rothes.

1639-40.

the votes were erroneously reported; and he warmly embraced the Covenant. He was one of the commissioners deputed to settle the pacification of Berwick, in 1639, and in 1640 he was nominated by the parliament of Scotland one of the commissioners to treat with the English. He afterwards inclined to moderate measures, and wrote to the estates at Edinburgh counselling moderation, and promising that the king would give them all the satisfaction which they could in justice require. Lord Clarendon, in his *History of the Rebellion* (vol. i. p. 280), says, "It is certain the king expected by his (the Earl of Rothes') assistance and interest, to have found such a party in Scotland as would have been more tender of his honour than they after expressed themselves, and he did always impute the failure thereof to the absence of the earl, who, being sick at London when the king went to Scotland, within six weeks after died." The estimation in which King Charles I. held the Earl of Rothes is shown by an act of the parliament of Scotland,

1641.

22d September 1641, declaring the trust put in the late earl by the king, when he employed him as a commissioner between the king's majesty and his subjects of Scotland, and betwixt the kingdoms of Scotland and England in the negotiations begun at Ripon, and afterwards concluded and ratified by the parliaments of both kingdoms; wherefore the king and the estates of

parliament, having considered the whole deportment of the late John, Earl of Rothes, in the said negotiations, declared that the said earl had in all wisdom and faithfulness walked worth of so great a trust.

John, sixth Earl of Rothes, was succeeded by his only son, John, seventh earl, afterwards created Duke of Rothes.

JOHN,

SEVENTH EARL, AND DUKE OF ROTHES.

JOHN, only son of John, sixth Earl of Rothes, by Lady Anne Erskine his wife, succeeded his father, as seventh Earl of Rothes, in August 1641, 1641.
when he was only eleven years of age.

King Charles I. made a grant to General Sir Alexander Leslie of Balgony, and his heirs, of the ward and non-entry, mails, farms, and profits, of all lands, woods, and others, which pertained to the deceased John, Earl of Rothes, during the time of the said ward and non-entry, and aye and while the lawful entry of the lawful heir being of age, with the relief of the said lands, when it should happen, together with the marriage of the king's trusty cousin, John, now Earl of Rothes, son and heir of the deceased John, Earl of Rothes; dated at Holyrood House, 20th September 1641, and sealed with the Privy Seal 28th June 1642. 1642.

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John, Seventh Earl, and Duke of Rothes.

On the back of the grant is an assignation, blank in the date, in favour of John, Earl of Rothes, by General Sir Alexander Leslie, designed as Alexander, Earl of Leven, Lord Balgony.

John, Earl of Rothes, and his tutors, Alexander, Earl of Leven, and Archibald, Marquis of Argyle, petitioned the Lords of Council and Session that the said Earl of Rothes might take breves of Chancery for serving him heir to the deceased John, Earl of Rothes, his father; and, because it would be expensive to have sundry services for the lands and baronies of the earldom of Rothes lying in different shires, the king constituted a
1642. commission, 10th February 1642, and gave them power to sit in the burgh of Cupar in Fife, and there to proceed with the service of the said John, now earl of Rothes. John, Earl of Rothes, was served heir to his father, the deceased John, Earl of Rothes, in all the lands, baronies, and others, as possessed by his deceased father; and also in the office of Sheriff of Fife, with the power and privileges of the same as enumerated in the service, and in a charter under the Great Seal, dated
1600. 14th January 1600, granted to the deceased James, Master of Rothes. John, Earl of Rothes, was served heir of John, Earl of Rothes, his father, in the half of the lands and earldom of Buchan, comprehending the half of the lands, barony, and thanage of Glendowachie, and other lands, lying in the sheriffdoms of Aberdeen, Banff,

and Forfar, all united into the earldom of Buchan;* in the lands of Rothynormane in Fourmairtyne, with certain other lands in the shires of Elgin and Inverness, united into the barony of Ballinbreich, A. E. £14, N. E. £42;† in the lands of Dandaleith, with the salmon-fishings, within the parish of Rothes and regality of Spynie, E. 27 merks;‡ in the lands and barony of Rothes, with the advowson of the kirk of Rothes and of the chapel within the castle of Rothes, with the salmon-fishings on the river Spey, in the dominical lands of Rothes, with the mills and crofts of the same; in the lands of Blackbourne and Smyddie Croft, Casselhill, the forest of Forbakie, of Pittagarlie, and of Auchinhortie, with certain other lands in the shires of Aberdeen and Inverness, united into the barony of Ballinbreich, A. E. £14, N. E. £42;§ in the lands and barony of Leslie, and the lands of Parkhill.‖ These services are all dated 27th April 1642. A precept was issued furth of the Chancery for infefting John, Earl of Rothes, as heir to his father, the deceased John, Earl of Rothes, in the Inches of Lindores, 8th October 1642. 1642.

John, Earl of Rothes, obtained a letter of gift

* *Inquisitiones Speciales Vicecomitatus de Aberdene*, No. 261.
† *Ibid.* No. 262.
‡ *Inquisitiones Speciales Vicecomitatus de Banff*, No. 79.
§ *Ibid.* No. 80.
‖ *Inquisitiones Speciales Vicecomitatus de Fife*, Nos. 618, 619.

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John, Seventh Earl, and Duke of Rothes.

from King Charles I., registered in the books of Exchequer 8th March 1642, bearing that the king, remembering the many eminent services done by the deceased John, Earl of Rothes, who was prevented by death before any remuneration could be conferred upon him; remembering also his promise made to the defunct, and being desirous of performing the same in favour of his trusty cousin, John, now Earl of Rothes, grants to the said John, Earl of Rothes, a yearly pension of £10,000 Scots during the space of his natural
1641. life, to begin at Martimmas 1641.

John, Earl of Rothes, settled at Leslie in March
1650. 1650, having previously resided with his father-in-law, the Earl of Crawford, at Struthers. When King Charles II. arrived in Scotland in 1650, the Earl of Rothes waited on him, and carried the sword of state at the coronation, 1st January 1651; and the next month he was appointed colonel of one of the two regiments of horse levied in Fife for the king's service. The Earl of Rothes accompanied the royal army into England, and was taken at the battle of Worcester, 3d September
1651. 1651, and was sent prisoner to the Tower of
1654. London, and afterwards, in 1654, to Newcastle. By the interest of the Countess of Dysart he was set at liberty, and returned to Scotland in July
1655. 1655. He was committed to Edinburgh Castle,
1658. by order of Oliver Cromwell, 3d January 1658, in order to prevent a duel between him and Vis-

count Howard, who was commanded to stay at Berwick. His estates were sequestrated in April 1658. He was liberated 1st December 1658, and was allowed to return to Leslie on giving security. He obtained a discharge from J. Bayne, receiver-general to Oliver Cromwell, for the sum of £333 : 6 : 8 sterling, in full of the fine imposed on him by virtue of the ordinance of pardon and grace to the people of Scotland, 2d February 1659. On the king's restoration, the Earl of Rothes set out for London, 12th May 1660, to congratulate him. The king, considering the many faithful services done to him by his right trusty councillor, John, Earl of Rothes, who gallantly served in the royal armies, and suffered for his loyalty, granted him a pension of £1000 a-year for his lifetime, in lieu of his former pension of £10,000 Scots, and gave him a commission nominating him president of the Privy Council of Scotland, 30th August 1660. The Earl of Rothes returned to Leslie, 8th September 1660. He was appointed an extraordinary Lord of Session, 1st June 1661, and obtained a patent as lord treasurer during his lifetime, 4th June 1663. He was appointed King's High Commissioner to the parliament which met at Edinburgh, 18th June 1663, when the king revoked his former commission to the Earl of Middleton, and considering what consistency the Earl of Rothes had always shown in adhering to him, as well in Scotland as at

1659.

1660.

1661.

1663.

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Worcester, for which he was long imprisoned, the king therefore granted to John, Earl of Rothes, full power to represent his majesty's royal person and authority in the next parliament, by a commission, dated at Whitehall, 9th May 1663. In the same year the Royal Lifeguards were established by sign-manual of King Charles II. under the command of the King's High Commissioner, the Earl of Rothes. The Lifeguards consisted of one captain, the Earl of Rothes, with 24s. a-day pay, a lieutenant 12s., a cornet 11s., quarter-master 7s., corporals 5s., surgeon 5s., clerk 4s., trumpeters 4s., kettle-drummers 4s., provost 6s., and eighty gentlemen with 3s. a-day pay. In 1666, the Earl of Rothes was appointed general of the forces in Scotland, and, in the following year, he was made Lord High Chancellor for life. He was also appointed Colonel-in-chief of the militia of Fife and Kinross.

1663.

1666.

John, Earl of Rothes, bought the lands of Balquhimrie about 1650. He obtained letters of inhibition against the heritors of the parishes of Mortlach, Balhern, Bothriffin, and Aberlour, 13th July 1650, and again 23d August 1655. Letters of horning were issued against John, Earl of Rothes, for a bond of 10,000 merks, at the instance of Patrick Dempster, 6th December 1648; and a decreet of apprising was pronounced against him, at the instance of Robert Dempster, on account of certain bonds; in consequence of which

1650.

1655.

1648.

decreet, Robert Dempster obtained charters of the lands and baronies of Leslie, Ballinbreich, and others, belonging to John, Earl of Rothes, 17th September 1656. Robert Dempster made a contract with Mary, Countess of Buccleuch, and her curators, submitting that the countess had paid to him at Martinmas 1658 the sum of 210,000 merks for principal, interest, Sheriff's fees, and expenses, and therefore he, with consent of John, Earl of Rothes, sold to the Countess of Buccleuch, and her heirs and assigns, the lands and Mains of Leslie, and others, under a reversion and a back-tack to the Earl of Rothes—7th January 1659. 1658. 1659.

John, Earl of Rothes, as Sheriff-principal of Fife, appointed George Heriot of Ramornie, and John Malcolme of Balbedy, his deputes, 16th May 1661.* Elspeth Nairn, spouse of John Leslie of Middleton, renounced all right which she had in the lands of Kirktown of Rothes, and in the teinds, parsonage and vicarage, of the same, in favour of John, Earl of Rothes, 17th March 1663. John, Earl of Rothes, granted a precept of clare constat, bearing that the deceased Mary, Countess of Buccleuch, died vest in the lands and barony of Leslie and others, and that Anne, now Countess of Buccleuch, her sister, was her nearest lawful heir, and that the said Countess Anne, had agreed 1661. 1663.

* Account-books of Sheriff-Court of Fife, at Cupar.

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to renounce the said lands in favour of the Earl of Rothes, 19th May 1663. John, Earl of Rothes, was made a burgess of Linlithgow, 20th November 1665; of Perth, 25th May 1670; of Stirling, 8th August 1672; and an honorary member of the College of Surgeons, Edinburgh, 31st August 1672. He obtained leave from the king to go to London, 28th February 1680.

1672.

1680.

John, Earl of Rothes, executed a tailzie of his estates and earldom, 11th May 1660, and another, 17th September 1662; and he obtained a charter, 4th July 1663, of the title, honour, and dignity of Earl of Rothes, Lord Leslie, and Ballinbreich, with the whole earldom, lands, baronies, and lordships therein mentioned, to him and the heirs-male of his body, whom failing, to the eldest heir-female of his body, or of the body of his heirs-male, without division, on condition that such heir-female in all time coming, should marry a gentleman of the name of Leslie, or who should take the name of Leslie, and that the children, male and female, of such heirs-female, should bear the name and arms of Leslie; remainder to the heirs-male of Margaret, Countess of Wemyss, sister of the entailer, John, Earl of Rothes, procreated betwixt her and her first husband, Alexander, Lord Balgony; remainder to the second son of Lady Mary Leslie, also sister of the entailer, procreated betwixt her and Hugh, Earl of Eglinton, her husband, and the heirs-male of

1660.

1662.

1663.

his body; remainder to her third and younger sons, and the heirs-male of their bodies respectively, with the proviso that if any of them succeeded to the earldom of Eglinton, the earldom of Rothes should go to the next heir of entail; remainder to Sir John Leslie of Newton, knight, and the heirs-male of his body; remainder to the heirs-male whomsoever of the Earl of Rothes; whom all failing, to his heirs and assigns whomsoever, with the original precedency. This charter was confirmed by an act of parliament in 1663. 1663.

John, Earl of Rothes, was created by King Charles II., by a patent, dated at Windsor Castle, 29th May 1680, Duke of Rothes, Marquis of Ballinbreich, Earl of Leslie, Viscount of Lugtoun, Lord Auchmoutie and Caskieberrie, to him and the heirs-male of his body, without prejudice to the title of Earl of Rothes, so that the heirs of tailzie who, failing the heirs-male of the earl's body, might succeed, should enjoy the title of Earl of Rothes. 1680.

John, Earl of Rothes, married Lady Anne Lindsay, daughter of John, Earl of Crawford and Lindsay, High Treasurer of Scotland. The marriage-contract is dated at Holyrood House, 4th February 1648. By it John, Earl of Rothes, with the consent of his curators, Archibald, Marquis of Argyle, and Alexander, Earl of Leven; also with the consent of Sir John Leslie of Newton, Senator of the College of Justice, and of David Ayton, 1648.

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John, Seventh Earl, and Duke of Rothes.

Advocate, tacksman of the earldom of Rothes, on the one part, bound himself to John, tenth Earl of Crawford and Lindsay, High Treasurer of Scotland, to infeft Lady Anne Lindsay, daughter of the Earl of Crawford and Lindsay, and future spouse of the Earl of Rothes, in the lands and barony of Ballinbreich in liferent; and also, in case there should be no heirs-male of their marriage, and the daughters, if any, should not happen to succeed to the earldom of Rothes conform to a tailzie made by the deceased John, Earl of Rothes, 29th July 1640, then the Earl of Rothes bound himself, and his heirs-male or of tailzie, to pay to the daughters of the intended marriage a specified sum.

1640.

By Lady Anne Lindsay the Earl of Rothes had issue—

I. LADY MARGARET, who succeeded him as eighth Countess of Rothes.

II. LADY CHRISTIAN, married first, to James, third Marquis of Montrose, and was the mother of the first Duke of Montrose; secondly, to Sir John Bruce of Kinross, Bart., by whom she had no issue.

John, seventh Earl, and Duke of Rothes, died at the abbey of Holyrood, 27th July 1681, in the 51st year of his age. Having no male issue, the title of Duke of Rothes became extinct, and he was succeeded in his title of Earl of Rothes by his elder daughter, Lady Margaret, eighth Countess of Rothes, and Countess of Haddington. The Duke of Rothes was one of the greatest statesmen of his age, and was much esteemed by

1681.

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John, Seventh Earl, and Duke of Rothes.

the sovereign, who bestowed on him the highest honours and offices of the state. It was natural that in those troubled times the Duke of Rothes should have enemies, and it does not excite much surprise when we read in the Diary of James Brodie of Brodie (page 468; *Spalding Club*) the following notice of the death of the Duke of Rothes:—"27th July 1681. I heard of the death of Lord Rothes; how terrible death was to him." The Brodies belonged to the opposite party, and that may account for the feelings with which they regarded the Duke. Alexander Brodie, in his Diary (page 389) says, "The Chancellor Rothes was become violent in oppressing the poor non-conformists in Fyff;" and (page 393), "Rothes was against the Presbyterians and conventicls, becaus Latherdaill was for them."

1681.

MARGARET,

EIGHTH COUNTESS OF ROTHES, AND COUNTESS OF HADDINGTON.

Margaret, Eighth Countess of Rothes, and Countess of Haddington.

MARGARET, elder daughter of John, seventh Earl, and Duke of Rothes, by his wife Lady Anne Lindsay, succeeded as eighth Countess of Rothes, on the death of her father, 27th July 1681.

1681.

Margaret, Countess of Haddington, was served heir of tailzie and provision of John, Duke of Rothes, her father, in the baronies of Rothynor-

CHAP. I.

Margaret, Eighth Countess of Rothes, and Countess of Haddington.

man and Cushney, with the patronage of the church of Cushney, and in other lands in the shires of Aberdeen, Fife, Perth, Kincardine, Forfar, Elgin, Forres, and Inverness, 16th May 1682;* and on the same day, in the lands and barony of Rothes, in the shire of Elgin,† and in the title and dignity and estates of the earldom of Rothes.‡

The earldom of Rothes has been held to have been limited to heirs-male, before the time of John, seventh Earl, and Duke of Rothes, whose ducal dignity and subordinate titles were exclusively limited by patent, 29th May 1680, to the heirs-male of his body, and expired with him, he having no male issue. But the duke, wishing to secure the earldom to his daughters, as has been shown, executed a deed of entail, and obtained a charter of request, under the sign-manual, on his own resignation, 4th July 1663, and confirmed by an act of parliament in the same year, by which his eldest heir-female was to succeed to him, without division, in the earldom and estates of Rothes. After the death of the Duke of Rothes, in 1681, a petition was presented, 26th January 1682, to the king's commissioner, the Duke of York, and the Privy Council, by John, Lord Lindores, showing that the petitioner,

1680.

1663.

1681.

1682.

* *Inquisitiones Speciales Vicecomitatus de Aberdeen*, No. 452.

† *Inquisitiones*, No. 146.

‡ *Inquisitiones Speciales Vicecomitatus de Fife*, No. 1205.

being undoubted heir-male to the deceased John, Duke of Rothes, had the only right to the title and dignity of the earldom of Rothes, which the law presumed to belong still to the heir-male. He therefore supplicated that the Council would declare that he might be acknowledged as Earl of Rothes, and that all other persons might be discharged to assume the title.

Margaret, Countess of Rothes, and Charles, Earl of Haddington, her husband, gave in answers to the effect that the claim of the petition was unreasonable and contrary to law, in respect that the deceased Duke of Rothes did make resignation of his dignity and estates in favour of himself and the heirs-male of his own body, whom failing, to his eldest daughter, without division, she marrying a gentleman of the name of Leslie, or one who should use the name and arms of Leslie; whereupon the king, by sign-manual, promised to ratify the same, and accordingly a charter under the Great Seal, and infeftment thereupon, was ratified by parliament in 1663, by which it was 1633. evident that the dignity and estates of Rothes belonged to Lady Margaret, and that Lord Lindores had no pretence of right to the same as heir-male, in respect of the foresaid resignation and charter, granted and ratified, which could not be drawn in question before the Privy Council and were certainly not questionable in law, but consonant to the laws and customs of the kingdom;

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Margaret, Eighth Countess of Rothes, and Countess of Haddington.

and if Lord Lindores thought it worth his trouble to pursue a declarator of his rights to the title and dignity of the Estate of Rothes, it was only competent before the judge ordinary, upon the citation of all parties having interest, at which time it would be made appear that Lord Lindores could have no pretence of right.

The Privy Council would not interfere, but without any demur decided to remit the matter in debate to the Lords of Session, as accords of the law. The case was so clear that Lord Lindores took the hint, and did not think it worth his trouble to move farther in the question of the honours, which have ever since vested, as they still do, in the direct descendants of Margaret, eighth Countess of Rothes.*

The petition of Lord Lindores being thus rejected, a precept was issued furth of the Chancery for the service of Margaret, Countess of Haddington, as heir of tailzie and provision to her father, the deceased John, Duke of Rothes, 25th May

1682. 1682.

The Countess of Rothes, with the consent of her husband, Charles, Earl of Haddington,

1684. executed a deed of tailzie, 1st January 1684,

1749. registered 31st October 1749, and obtained a

1687. charter under the Great Seal, 8th July 1687, of all the lands and barony of Ballinbreich and others,

* Riddell on *Peerage and Consistorial Law*, vol. ii. p. 937 note.

to herself in liferent, and to her son John, Lord Leslie, and the other heirs mentioned, in fee; sasine followed thereon 25th March 1689, registered 1st May 1689.

Margaret, Countess of Rothes, obtained a resignation of the lands of Balquhimie, 22d April 1689. James Christie of Stenton sold to 1689.
Margaret, Countess of Rothes and Haddington, and her heirs, certain lands, 28th May 1697. 1697.
Margaret, Countess of Rothes, as Sheriff-principal of Fife, appointed Patrick Bruce of Bunyion her depute, 10th November 1697.* James Halket 1697.
granted a discharge, bearing that John, sixth Earl of Rothes, had made a contract with William Halket, uncle of the said James, regarding the lands of Parkhill, and by which the earl bound himself to pay to William Halket the sum of 2000 merks on the death of the said William's father and mother, dated 31st July 1642; which contract 1642.
was registered in the books of Session by way of action against the deceased John, Duke of Rothes, son and heir of John, sixth Earl of Rothes; and because Margaret, Countess of Rothes and Haddington, had made payment to the said James Halket of a certain sum in complete payment of the said 2000 merks, he, as nearest lawful heir of his uncle, the said William Halket, discharged the said Countess, and all the other heirs of the

* Account-Book of Cupar.

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Margaret, Eighth Countess of Rothes, and Countess of Haddington.

deceased Duke of Rothes, 4th January 1699. Margaret, Countess of Rothes, obtained a charter of new infeftment in the lands of Middletown, Newtown, and others, 17th February 1699; registered at Cupar, 19th June 1699. She, with the consent of her son John, Lord Leslie, appointed Alexander Colville of Blair to be Sheriff-clerk of Fife in 1699.

1699.

Margaret, Countess of Rothes, married Charles, fifth Earl of Haddington. By the marriage-contract, dated 7th October 1674, Charles, Earl of Haddington, Lord Binning, disponed to Lady Margaret Leslie in liferent, the castle and manor-place of Byres and others, and bound himself to get a new infeftment of his other estates in favour of the heirs-male to be procreate of this marriage; whom failing, to his heirs-male by any other marriage; whom failing, to the eldest daughter, or heir-female, of his marriage with Lady Margaret Leslie, successively, and without division, and to the heirs-male of such heir-female; whom failing, to her eldest heir-female, without division; whom failing, to the next younger daughters successively, and their heirs-male, the said heirs-female always marrying a gentleman of the name of Hamilton, or who, and their children, should assume the name of Hamilton. On the other part, John, Duke of Rothes, bound himself to pay a tocher of 20,000 merks, at Whitsunday 1675, with his daughter, Lady Margaret Leslie; and

1674.

1675.

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Margaret, Eighth Countess of Rothes, and Countess of Haddington.

because the earldom of Rothes, with the estates of the same, failing heirs-male of John, Duke of Rothes, were provided to the eldest daughter and heir-female, so that the eldest son to be procreate betwixt Lady Margaret Leslie and Charles, Earl of Haddington, or, failing sons by the said marriage, the eldest daughter, would succeed to both the estates and earldoms of Rothes and Haddington, that the two dignities might not be confounded, it was provided that if there were but one son by the marriage, or, failing sons by this or any subsequent marriage of the Earl of Haddington, if the eldest daughter should succeed, such heir should assume the name of Leslie, and should be called Earl or Countess of Rothes and Haddington; and that if there were two or more sons by this marriage, the eldest son should succeed to the titles and estates of the earldom of Rothes; and the Earl of Haddington bound himself to institute his second son as heir of tailzie to the titles and estates of the earldom of Haddington, which was done by a patent, dated at Holland House, 12th December 1689. 1689.

By Charles, Earl of Haddington, Margaret, Countess of Rothes, had issue—

I. JOHN, who succeeded as ninth Earl of Rothes.

II. THOMAS, who succeeded his father as sixth Earl of Haddington. Thomas, Earl of Haddington, heir of tailzie to the deceased Charles, Earl of Haddington, his father, with the consent of his tutors, granted a disposition, 13th February 1691, bearing that on his acces- 1691.

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Margaret, Eighth Countess of Rothes, and Countess of Haddington.

sion the estates of Haddington were over-burthened with debt, and that, in order to prevent the creditors from selling the estates, his tutor, and his mother, Margaret, Countess of Rothes and Haddington, advised the letting of the estate of Byres to the Laird of Hopton.

III. CHARLES HAMILTON, who died young.

1700. Margaret, eighth Countess of Rothes, and Countess of Haddington, died 20th August 1700, and was succeeded by her eldest son, John, ninth Earl of Rothes.

John, Ninth Earl of Rothes.

JOHN,

NINTH EARL OF ROTHES.

JOHN, eldest son of Margaret, eighth Countess of Rothes, by her husband, Charles, fifth Earl of Haddington, succeeded as ninth Earl of Rothes, on 1700. the death of his mother, 20th August 1700.

In order to prevent any dispute relating to the titles of the Earl of Haddington, a new patent was granted. John, Earl of Rothes, resigned the title of Haddington, which was granted to Thomas, Earl of Haddington, his younger brother, and to the heirs-male of his body, whom failing, to the heirs of their father, Charles, Earl of Haddington, according to the tenor of the original patent. The new patent is dated at St. 1702. James's, 22d October 1702.*

John, Earl of Rothes, was served heir to the

* *Registrum Magni Sigilli*, lib. lxxix. No. 24.

deceased Margaret, Countess of Rothes, his mother, in the lands of Mildean and others, at Dunfermline, 21st March 1707; and in the barony of Newton, 18th March 1708. He appointed James Leslie to be Sheriff-clerk of Fife, 3d January 1708. He sold the lands of Easter Pittcuchie to James Moyers, to whom he delivered the deeds of the said lands, 3d June 1710. He also sold irredeemably the Mains of Rothes, with the tower, fortalice, farm, and mill of Rothes, and the salmon-fishing on the river Spey, and several other lands, including the lands of Ackenway, to John Grant of Elchies, baron-bailie of Rothes, to be held by him heritably, with the power to hold courts, to name deputes and other officers, and to uplift bail and fees, for which warrandice was given against the claims of heirs of entail, for the sum of £23,400 Scots, as the full worth and price of the said lands and pertinents, and for a yearly feu-duty of 1000 merks—24th January 1711. The deeds were delivered up to John Grant by an inventory of the same date, and, 9th October 1732, the Honourable James Leslie, advocate, by the hands of Francis Scott, delivered to Patrick Grant, afterwards Lord Elchies, several other deeds, including those of Ackenway.

1708.

1710.

1711.

1732.

John, Earl of Rothes, heritable Sheriff of Fife, appointed his secretary, William Horsbrugh, of the family of Horsbrugh Castle in Peeblesshire, to

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John, Ninth Earl of Rothes.

be Sheriff-clerk of Fife, 15th December 1713; and, 11th November 1718, he appointed Robert Hay of Naughton to be Sheriff-depute of Fife.*

1704. John, Earl of Rothes, was appointed Keeper of the Privy Seal in 1704, but was removed next year. He was chosen one of the sixteen representative Scottish peers at the general election in

1708-22. 1708, and again in 1715, and 1722. After the accession of George I., the Earl of Rothes was appointed Vice-Admiral of Scotland, November

1715. 1715, and in the following year Governor of Stirling Castle. He represented the king as High Commissioner to the Church of Scotland from

1715-21. 1715 to 1721. Soon after the breaking out of the rebellion in 1715, the Earl of Rothes marched with 500 men to seize Perth, but was prevented by the rebels, who took possession of the town,

1715. 18th September 1715.

A party of the Jacobites going to proclaim the prince at Kinross, 26th September 1715, the Earl of Rothes entered the town, sword in hand, with a detachment of the Scots Greys, put them to flight, seized Sir Thomas Bruce of Kinross, and carried him prisoner to Stirling.

These proceedings rendered the Earl of Rothes so obnoxious to the Jacobites, that in October a party of them went to his house at Leslie, searched it for arms, forced open the church-doors, broke

* Act-Book, Sheriff-court, Cupar.

into the family burying-place, and searched the coffins for arms. On the 17th October, the Earl, with 300 volunteers, and Lord Torphichen, with 200 horse, marched from Edinburgh to attack Seton House, then garrisoned by the Jacobites; but finding them so strongly entrenched within the gates, that it was impossible to dislodge them without artillery to batter the house, the royalists returned after a little skirmishing. The Earl of Rothes commanded the horse volunteers at the battle of Sheriffmuir, 13th November 1715, where 1715. he behaved with great gallantry. On the 2d January 1716 he attempted to possess himself of 1716. the royal palace of Falkland, but was repulsed with loss by the rebels, who had received intelligence of his design.

John, Earl of Rothes, David, Earl of Buchan, and others, received a royal commission in 1716, 1716. to visit the University of Aberdeen, and all other academies and schools of the same, and to examine the professors and principals concerning their past conduct towards church and state.*

John, Earl of Rothes, was Lord-Lieutenant of the counties of Fife, Kinross, and Aberdeen, hereditary Sheriff of Fife, and Commander of the Forces in Ireland. While taking an active part in the public affairs of his time, he did not neglect the quieter pursuits of a country gentleman. He

* *Fasti Aberdonenses*, p. 387.

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was among the first to introduce the cultivation of turnips in the north. "Turnips in fields for cattle, by Erle of Rothes, and very few others, were wondered at," observes Sir Archibald Grant of Monymusk in the beginning of last century.* Mackay says of the Earls of Rothes and Haddington, "They are two brothers, grandsons to that Duke of Rothes who made so great a figure in the reign of Charles II., and sons to the Earl of Haddington, who married the heiress of Rothes. They are both warm assertors of the liberties of the people, and of great esteem in their country. My Lord Rothes is of vigilant application for the service of his country. The other hath a genius whenever he thinks fit to apply himself."

1697. John, Earl of Rothes, married, 29th April 1697, Lady Jean Hay, daughter of John, second Marquis of Tweeddale, High Chancellor of Scot-

1731. land, and by her, who died 4th September 1731, had issue—

I. JOHN, who succeeded as tenth Earl of Rothes.

II. CHARLES, who was captain in a Scotch regiment in the service of the States of Holland; he was appointed major in the Earl of Drumlanrig's regiment raised for the same service; he afterwards rose to the rank of colonel in the same regiment, and died in London, 16th

1769. August 1769.

III. THOMAS, who was appointed equerry to the Prince of

1742. Wales in 1742; he was a captain in the 46th Regiment of Foot, and was wounded and taken prisoner by the

* Monymusk Papers, *Spalding Club Miscellany*, vol. ii. p. 99.

Jacobites at the battle of Preston in 1745 ; he got the office of Barrack-master of Scotland in 1748, which office he held for twenty years, and resigned it in 1768 ; he was elected member of parliament for the boroughs of Perth in 1743, and was re-elected at the general elections in 1747 and 1754. He got the lands of Stenton in the regality of Dumberlo, in the shire of Fife, from his brother John, tenth Earl of Rothes, 1st February 1740. He died in London, 17th March 1772, leaving an only child, Catherine Leslie, who was served his heir in the lands of Over Stenton, 18th August 1813, and as nearest and lawful heir of her uncle, the Honourable James Leslie, in the lands of Milndeans, which lands she disponed to George William, thirteenth Earl of Rothes, by a deed dated 8th June 1813. 1743. 1747-54. 1740. 1772. 1813.

IV. JAMES, styled of Milndeans ; he was admitted a member of the Faculty of Advocates in 1726 ; he was one of the Commissaries of Edinburgh, and on the abolition of heritable jurisdictions in 1748, he was appointed Sheriff-depute of Fife ; he was also Solicitor of Exchequer, which office he resigned in 1757. He got the lands of Milndeans from his brother John, tenth Earl of Rothes, 1st February 1740. He died at Clapton in Middlesex, 24th September 1761. 1726. 1748. 1757. 1740. 1761.

V. DAVID, who died young.

VI. WILLIAM, who was major-commandant of invalids in Ireland, and ranked as a major in the army from 4th March 1762. He died in London, 29th January 1764. 1762. 1764.

VII. FRANCIS, who died young.

VIII. ANDREW, who was equerry to the Princess Dowager of Wales. On the death of John, eleventh Earl of Rothes, the Honourable Andrew Leslie claimed the titles and estates of Rothes as heir-male, against his niece, Jane Elizabeth, twelfth Countess of Rothes ; but the Court of Session decided in favour of the Countess, and this decision was confirmed by the House of Lords, 10th May 1774. Andrew Leslie died at Haddington, 27th 1774.

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August 1776, when Thomas, seventh Earl of Haddington, became heir-male of the body of Sir Thomas Hamilton, first Earl of Haddington.

IX. LADY JANE, who died at Edinburgh, 18th March 1771.

X. LADY MARY, who died in infancy.

XI. LADY MARGARET, who died at Fountainbridge, 23d February 1767. 1767.

XII. LADY ANNE, who died young.

1722. John, ninth Earl of Rothes, died 9th May 1722, and was succeeded by his eldest son, John, tenth Earl of Rothes.

JOHN,

TENTH EARL OF ROTHES.

John, Tenth Earl of Rothes.

JOHN, eldest son of John, ninth Earl of Rothes, by Lady Jean Hay his wife, succeeded, on the 1722. death of his father, 9th May 1722, as tenth Earl of Rothes.

John, Earl of Rothes, son and heir of the deceased John, Earl of Rothes, hereditary Sheriff of Fife, by a new commission reappointed Robert Hay of Naughton to be Sheriff-depute of Fife, 1722. 18th May 1722. He was served lawful heir of entail to the deceased John, Earl of Rothes, his father, in all the lands as recited in the tailzie 1684. made by Margaret, Countess of Rothes, in 1684, with the exception from the barony of Rothes of those parts which had been disponed to Grant of 1722. Elchies, 30th August 1722.

The office of Sheriff-principal of Fife continued

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in the Rothes family from the time of George, fourth Earl of Rothes. On the passing of the act of parliament authorising the Government to purchase up the heritable jurisdictions of Scotland in 1746, John, tenth Earl of Rothes, was allowed the sum of £6268 : 16s. sterling for his heritable right to the office of Lord-Lieutenant and Sheriff-principal of Fife. 1746.

John, Earl of Rothes, entered the army, and was a captain of dragoons in 1715. In 1717 he got a company in the Foot Guards, and was made lieutenant-colonel of the 21st Regiment in 1719. He succeeded his father as Governor of Stirling Castle in 1722. He was elected one of the sixteen representative peers of Scotland in 1723, and was re-elected at the general elections of 1727, 1747, 1754, and 1761. He got the command of the 25th Regiment 29th May 1732. He was major-general in the army from 26th February 1743, and acted as such at the battle of Dettingen, 16th June 1743. He was appointed Chamberlain of Fife and Strathern in June 1744. He was made colonel of the second troop of Horse Grenadier Guards 25th April 1745, and colonel of the 6th or Inniskilling Dragoons 29th May 1745. At the battle of Rocoux, 1st October 1746, between the British and the French commanded by Marshal Saxe, the Earl of Rothes was at the head of the first line of cavalry, and behaved gallantly. He obtained the command of

1715-17. 1719. 1722. 1723. 1727-61. 1732. 1743. 1744. 1745. 1745. 1746.

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the Scots Greys, 16th January 1750. He was appointed Governor of Duncannon fort, and a lieutenant-general on the Staff in Ireland in 1751. He got the command of the 3d Regiment of Foot
1752. Guards 29th April 1752, and was invested with
1753. the order of the Thistle in March 1753. When
1767. he died, 10th December 1767, he was Commander-in-chief of the Forces in Ireland, a general in the army, colonel of the 3d Regiment of Foot Guards, a Privy Councillor in Ireland, Knight of the Thistle, and a representative peer of Scotland.

Leslie House, the residence of the Earl of Rothes, was destroyed by fire on Christmas-day
1763. 1763. The following "Recollections of the fire at Leslie House, in the lifetime of John, Earl of Rothes, Commander of the Forces in Ireland," was written by Lady Elizabeth Jane Wathen, daughter of George William, thirteenth Earl of Rothes, and wife of Major Augustus Wathen.

"I heard from Major-General Dalrymple, at the time he was 92 or 93, an account of this fire, he having been staying at Leslie House at the time. He was then quite a young man, and aide-de-camp to the general. The house was burned to the ground during the day-time. It was destroyed
1763. on Christmas-day 1763. The day was a terribly rough one, snow and wind, the wind driving the thick-falling snow, so that it rendered the terrible scene still worse by adding to the confusion, as the people hurrying about were hidden from each

other's view; then ever and anon would the burning pile throw up jets of flame, shedding an unearthly light on the villagers as they rushed to and fro shouting to each other. Then another howling blast rushed along, the fast-driving snow again descended, and then all was hidden from the view of the surrounding assistants, or rather from those who endeavoured to assist. The earl himself, wrapped in his soldier's cloak, stood, even in such a moment of ruin, in the calm dignity of fortitude and resignation, giving his orders to the alarmed surrounders with the same coolness as he would have done had he been merely speaking to his baron-officer concerning the felling of a tree, or any other domestic matter. But his excellent judgment directed everything that could be done, which was done to save his property, in the most advantageous manner that was possible. But the furious wind which prevailed all day carried the burning embers from one part to another, besides driving the flames along the beams of the building. The water conveyed by detachments of the villagers in buckets was of no avail, but others employed in rescuing the furniture were partially successful. The family pictures were torn from the walls, and piled along upon the grass. Books were tumbled out of the library-window to the assistants below. Some articles of furniture were saved, but very, very few; scarcely any plate, and no linen, of which the

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Leslie family possessed a very large supply. The house that was burned contained every requisite for convenience, magnificence, and luxury; and within twelve hours after the fire broke out, scarcely a vestige of their possessions was left, and the earl slept that night, or rather it should be said, took shelter in the little village public house.

"The ruins remained smoking for several days, and it appeared that this sad devastation arose from a very large beam, a centre one, that crossed a chimney in one of the sleeping-rooms, of which there were eighty, without counting dressing-rooms belonging to these apartments. The beam alluded to was in the chimney of the room at this time occupied by young Dalrymple, the aide-de-camp, the same gentleman who gave me this description when he was past ninety years of age. As I have before said, the fire took place on Christmas-day, then on a Monday. There were several people in the house, friends of Lord Rothes, when this calamity happened. On the Sunday afternoon a smell of burning had been noticed, but passed away unheeded, till after dinner, the dinner-time in those days being earlier than now. But while dessert was going on, the earl observed a smell of burning, which was then strong enough to attract the attention of every one at table. Lord Rothes, ringing for a servant, asked whether he had observed this scent of

burning. He answered no, but that he smelt it now; inquiries were made in various parts of the house, but nothing could be observed to lead to anything particular. At last the coachman said he had been melting grease for the carriage-wheels, and that he had carelessly spilt some of it in the hall fireplace, which had occasioned this odour of fire. Lord Rothes was satisfied with this, and unluckily no farther search was made. Fear was allayed, and nothing farther thought about fire, and the family retired to bed. The next morning about seven, young Dalrymple was awoke (he thought that it must have been about that hour) by an overpowering smell of smoke in his room, but it being dark he gave no heed to it, and went to sleep again. But by-and-by he was awoke, by a great light, as he thought, in his room, and a great heat. He threw open his curtains and saw one side of the room in flames. The work of devastation had now begun, and was never ended till everything was destroyed. The earl and every one else fully believed that this beam which passed through this fireplace had been smouldering for a continued length of time, and that, as it smouldered away, the air got admission to it, and that then the flames burst out. These are all the particulars that I at present recollect of the history given to me by Major-General Dalrymple of this calamity to my family, and which involved it in losses that can

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never be replaced. On my return from General Dalrymple's house, to which I went for an early dinner, I made a memorandum of this conversation, but as it is now amongst my journal-books at Shrub-hill in Surrey, I cannot refer to it. General Dalrymple added that the library was at that time considered the most valuable one in Scotland, and that the plate and linen was also a peculiarly rich collection. After making every necessary arrangement, the earl retired to a small flat in Edinburgh, where he lived in much seclusion till he had saved enough out of his income to make Leslie again a habitable residence. During the summer he occasionally resided in a farm-house on his estate near the Eastern Lomond.

(Signed) "ELIZABETH JANE WATHEN."

In order to repair, or to erect a new house after the burning of Leslie, the Earl of Rothes sold the barony of Ballinbreich, in the parish of Flisk, to Sir Lawrence Dundas, ancestor of the Earls of Zetland, for £20,000. Sir Lawrence had made a large fortune as a commissary in the Continental wars. He cut down and sold wood to the value of £20,000, growing on the barony of Ballinbreich when he bought it, and thus paid the price of the estate, which now lets for more than £4000 a-year. The barony of Ballinbreich was in the possession of the Leslies for more than 400 years. Sir Andrew de Leslie, VI. Dominus

Ejusdem, got it with his wife Mary Abernethy, one of the daughters and co-heiresses of Sir Alexander Abernethy of Abernethy in 1312. The sale of Ballinbreich was a severe blow to the Rothes family.

The castle of Ballinbreich, now in ruins, stands near the western extremity of the parish of Flisk, on the south bank of the river Tay. It is a large and fine ruin, picturesquely situated on a steep bank overhanging the river, and is still environed by some remarkably fine trees. It appears to have been once a magnificent castle, built of red sandstone, forming a parallelogram 180 feet long by 70 feet in breadth, having a court in the centre; that is to say, three sides of the court were formed by the main body of the castle and the two side-wings, which were four stories in height, and the fourth side consisted of a wall which connected the north and south sides of the castle. It was surrounded by a moat, traces of which were visible some years ago. The castle of Ballinbreich has suffered greatly from the ravages of time, but still more from the depredations of men; much of it having been pulled down to erect buildings in the neighbourhood. Nothing now remains of its ancient magnificence but bare walls and fallen ruins. There is no date on it from which the period of its erection might be ascertained. From the beauty of the ashlar-work of the walls still remaining, it is not likely that any portion of it is as ancient as the time

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when the barony was acquired by Sir Andrew de Leslie in 1312. There is an iron door-plate in the possession of the Rev. Mr. Thomson of Balmerino, which formed the door-plate on the entrance to the castle, on which are the letters

1572. A. E. R. 1572; the letters being the initials of Andrew, Earl of Rothes. The garden was situated on the south side of the castle, and there was an orchard on the east side of the oak avenue. There were extensive plantations on the west side, in which were ponds for fish and swans. These ponds are now dried up, the garden is destroyed, and most of the fine timber is cut down.

John, tenth Earl of Rothes, married, first, at

1741. London, 25th May 1741, Hannah Howard, daughter and co-heiress of Matthew Howard of Thorpe in the county of Norfolk. By the marriage-contract, dated 23d March 1741, and re-

1760. gistered 28th March 1760, the Earl obliged himself to resign his earldom and baronial lands in favour of the heirs-male of his body to be procreate of that marriage; whom failing, in favour of his heirs-male by any subsequent marriage; whom failing, in favour of his daughters, as heirs-female, by that or any subsequent marriage, the eldest daughter or heir-female always succeeding without division; whom failing, in favour of his heirs of tailzie as contained in the deed of tailzie of

1684. 1684. By Hannah Howard, who died in Dublin,

1761. 26th April 1761, the Earl of Rothes had issue—

I. JOHN, who succeeded as eleventh Earl of Rothes. CHAP. I.

II. CHARLES, who died 18th August 1762, aged 15 years.

III. LADY JANE ELIZABETH, who succeeded her brother John as twelfth Countess of Rothes. *John, Tenth Earl of Rothes.*

IV. LADY MARY, born 29th August 1753; married at Esher, 5th November 1770, to William Charles, third Earl of Portmore; and died at Kedlestone, 21st March 1799, aged 46, leaving issue. 1753. 1770. 1799.

John, Earl of Rothes, married, secondly, Miss Lloyd, daughter of Mary Holt, who married, first, Mr. Lloyd, and secondly, Thomas, seventh Earl of Haddington. By his second marriage, which was celebrated at Tyninghame, 27th June 1763, the Earl of Rothes had no issue. 1763.

John, tenth Earl of Rothes, died at Leslie, 10th December 1767, leaving a widow, who, 24th May 1770, married Bennet Langton, of Langton in Lincolnshire, the friend of Dr. Samuel Johnson. He was succeeded by his only surviving son, John, eleventh Earl of Rothes. 1767. 1770.

JOHN,

ELEVENTH EARL OF ROTHES.

John, Eleventh Earl of Rothes.

JOHN, only surviving son of John, tenth Earl of Rothes, by Hannah Howard his wife, born in London, 19th October 1744, succeeded as eleventh Earl of Rothes, on the death of his father, 10th December 1767. He was served as heir of tailzie to John, Earl of Rothes, his father, under the entail executed by Margaret, eighth Countess of 1744. 1767.

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John, Eleventh Earl of Rothes.

Rothes, 1st January 1684; and also as nearest lawful heir of line to his father, in the lands of Brog and others, 6th April 1769.

John, Earl of Rothes, had an ensign's commission in the 3d Regiment of Foot Guards, commanded by his father, 11th May 1760. He married, 4th April 1768, Jane Maitland, second daughter of Captain Maitland of Soutra, in the county of Haddington, but had no issue.

1760.

1768.

John, eleventh Earl of Rothes, died at Leslie House, 18th July 1773, aged 29, leaving a widow, who, 29th September 1774, married the Honourable Patrick Maitland of French, seventh son of Charles, sixth Earl of Lauderdale. He was succeeded by his eldest sister, Jane Elizabeth, twelfth Countess of Rothes.

1773.

1774.

Jane Elizabeth, Twelfth Countess of Rothes.

JANE ELIZABETH,

TWELFTH COUNTESS OF ROTHES.

JANE ELIZABETH, born 5th May 1750, eldest daughter of John, tenth Earl of Rothes, by his wife Hannah Howard, succeeded as twelfth Countess of Rothes, on the death of her brother John, eleventh earl, without issue, 18th July 1773.

1750.

1773.

She was served heir of tailzie to John, Earl of Rothes, her brother, in the earldom of Rothes, and in the lordship and lands of Leslie and others, 27th June 1775. Her right to the succession was contested by her uncle, the Honour-

1775.

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Jane Elizabeth, Twelfth Countess of Rothes.

able Andrew Leslie, eighth son of John, ninth Earl of Rothes, but, as has been narrated, the Court of Session determined in her favour, and the judgment was confirmed by the House of Lords, 10th May 1774. 1774.

Jane Elizabeth, Countess of Rothes, married, first, at London, 1st January 1766, George Raymond Evelyn, youngest son of William Evelyn Glanville of St. Clare in Kent, and by him had issue— 1766.

I. GEORGE WILLIAM, who succeeded as thirteenth Earl of Rothes; and two sons who died infants.

George Raymond Evelyn died 23d December 1770, aged 32, and the Countess of Rothes married, secondly, at Brighthelmstone, 30th October 1772, Sir Lucas Pepys, Baronet, physician to the king, and physician-general to the army. By him she had issue— 1770. 1772.

I. CHARLES LESLIE, who succeeded his father as second baronet, and died without issue in 1832. 1832.

II. HENRY LESLIE, in holy orders, Prebendary of Exeter, and Chaplain to the Queen; born 21st September 1783, succeeded as third baronet on the death of his brother Sir Charles in 1832; married, 15th February 1816, Elizabeth Jane, daughter of the Rev. James Oakes of Tostock, and died without issue. 1783. 1816.

III. LADY HARRIET LESLIE, married, 28th November 1804, to William Courtenay, Earl of Devon. She died 16th December 1839. 1804. 1839.

Jane Elizabeth, twelfth Countess of Rothes, died in London, 2d June 1810, and was succeeded by her eldest son, George William, thirteenth Earl of Rothes. 1810.

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George William, Thirteenth Earl of Rothes.

GEORGE WILLIAM,

THIRTEENTH EARL OF ROTHES.

GEORGE WILLIAM, eldest son of Jane Elizabeth, twelfth Countess of Rothes, by her first husband, George Raymond Evelyn Glanville, succeeded as thirteenth Earl of Rothes, on the death of his
1810. mother, 2d June 1810.

He was served heir of tailzie to the deceased Jane Elizabeth, Countess of Rothes, his mother, in the earldom and estates of the House of
1810. Rothes, 24th August 1810. He got a disposition of the lands of Stenton, Milndeans, and others, from Catherine Leslie, only child and heir of the Honourable Thomas Leslie, her father, and heiress of the Honourable James Leslie of Milndeans, her uncle, sons of John, ninth Earl of Rothes, 8th
1813. June 1813.

George William, Earl of Rothes, married,
1789. first, 24th May 1789, the Honourable Henrietta
1767. Anne Pelham, born 9th September 1767, eldest daughter of Thomas, Lord Pelham of Stanmore,
1810. created Earl of Chichester in 1810; and by her had issue—

I. HENRIETTA ANNE, who succeeded as fourteenth Countess of Rothes.

II. LADY AMELIA.

III. LADY MARY.

Henrietta Anne Pelham, Countess of Rothes, died 5th December 1797; and the Earl of Rothes married, secondly, in August 1798, Charlotte Julia Campbell, daughter of Colonel John Campbell of Dunoon, and by her had issue—

I. LADY JULIA, who died young at Shrub Hill, 2d January 1802. 1802.

II. LADY ELIZABETH JANE, married, 16th December 1830, to Major Augustus Wathen, 15th Hussars, only son of Major Wathen. She became a widow 3d May 1843. 1830. 1843.

III. LADY GEORGIANA.

George William, thirteenth Earl of Rothes, born 23d March 1768, died 11th February 1817, and was succeeded by his eldest daughter, Henrietta Anne, fourteenth Countess of Rothes. A tablet with the following inscription was placed in Wotton church in memory of George William, Earl of Rothes, by his widow, Charlotte Julia Campbell :— 1768-1817.

"To the memory of George William, Earl of Rothes, Baron Leslie of Bambreigh, son of George Raymond Evelyn, Esq., and Jane Elizabeth Leslie, Countess of Rothes in her own right, whom he succeeded in 1809, one of the sixteen peers of Scotland, born 23d March 1768, died 11th February 1817. His afflicted widow and once happy wife inscribes this marble, wishing that heaven to her may grace supply to live as well and as prepared to die." 1809. 1768. 1817.

Henrietta Anne, Fourteenth Countess of Rothes.

HENRIETTA ANNE,

FOURTEENTH COUNTESS OF ROTHES.

HENRIETTA ANNE, eldest daughter of George William, thirteenth Earl of Rothes, by Henrietta Anne Pelham, his first wife, succeeded as fourteenth Countess of Rothes, on the death of her father, 11th February 1817.

1817.

1806. She married, in 1806, George Gwyther, who assumed the name and arms of Leslie, and by him she had issue—

I. GEORGE WILLIAM EVELYN, who succeeded as fifteenth Earl of Rothes.

1813. II. THOMAS JENKINS, born 29th June 1813; an officer in the army; he married Honora Seward, daughter of Major Thomas Burrowes of Stradone House.

1827. III. LADY HENRIETTA ANNE, married, 16th November 1827, to Charles Knight Murray, Esq., and died 14th April 1832.

1835. IV. LADY MARY ELIZABETH, married, 11th August 1835, to Martin E. Haworth, Esq.

1835. V. LADY ANNE MARIA, married, 6th January 1835, to the Honourable Henry Hugh Courtenay.

1841. VI. LADY CATHERINE CAROLINE, married, 1841, to Captain John Parker, 66th Regiment, and died 11th January 1844.

1844.

1790-1819. Henrietta Anne, fourteenth Countess of Rothes, born 1790, died 30th January 1819, and was succeeded by her eldest son, George William Evelyn, fifteenth Earl of Rothes.

GEORGE WILLIAM EVELYN,

FIFTEENTH EARL OF ROTHES.

George William Evelyn, Fifteenth Earl of Rothes.

GEORGE WILLIAM EVELYN, eldest son of Henrietta Anne, fourteenth Countess of Rothes, by her husband, George Gwyther, succeeded as fifteenth Earl of Rothes, on the death of his mother, 30th January 1819. 1819.

He married, 7th May 1831, Louisa, third daughter of Colonel Anderson Morshead, Colonel-Commandant of Engineers, and by her had issue— 1831.

I. GEORGE WILLIAM EVELYN LESLIE, who succeeded as sixteenth Earl of Rothes.

II. HENRIETTA ANDERSON MORSHEAD, who succeeded her brother as seventeenth Countess of Rothes.

George William Evelyn, fifteenth Earl of Rothes, born 8th November 1809, died 10th March 1841, and was succeeded by his only son, George William Evelyn Leslie, sixteenth Earl of Rothes. 1809-1841.

GEORGE WILLIAM EVELYN LESLIE,

SIXTEENTH EARL OF ROTHES.

George William Evelyn Leslie, Sixteenth Earl of Rothes.

GEORGE WILLIAM EVELYN LESLIE, only son of George William Evelyn, fifteenth Earl of Rothes, by Louisa Anderson Morshead, his wife, succeeded as sixteenth Earl of Rothes, on the death of his father, 10th March 1841. 1841.

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George William Evelyn Leslie, Sixteenth Earl of Rothes.

He died unmarried, at Edinburgh, 2d January 1859, and was succeeded by his only sister, Henrietta Anderson Morshead, seventeenth Countess of Rothes.

Henrietta Anderson Morshead, Seventeenth Countess of Rothes.

HENRIETTA ANDERSON MORSHEAD,

SEVENTEENTH COUNTESS OF ROTHES.

HENRIETTA ANDERSON MORSHEAD, daughter of George William Evelyn, fifteenth Earl of Rothes, by Louisa Anderson Morshead, his wife, succeeded as seventeenth Countess of Rothes, on the death of her brother George William Evelyn Leslie, sixteenth Earl, 2d January 1859.

1859.

1861. She married, in 1861, the Honourable George Waldegrave, youngest son of William Frederick, eighth Earl Waldegrave, who assumed the name of Leslie, and represented the borough of Hastings in parliament from 1859 till 1868.

1859-68.

CHAPTER II.

THE FAMILY OF LESLIE OF AIKENWAY.

Leslie of Aikenway.

THE family of Leslie of Aikenway is a branch of the family of the Earls of Rothes.

I. George Leslie, first Laird of Aikenway, was the son of George, first Earl of Rothes, by Mary Lundie, to whom he was only handfasted, not married. He was a very valiant gentleman, and was made captain of the castle of Rothes by his father, who also gave him the lands of Aikenway, of which he got a feu-charter from Gavin Leslie, Rector of Rothes, 10th August 1530. He had long feuds with the Grants, but at length peace was restored; and to make the reconciliation lasting, he married Anna Grant, daughter of Duncan Grant of Mullahard, and had issue— 1530.

I. WILLIAM, his successor.

II. JOHN, who married Margaret, daughter of Sir Recold Leslie, vicar of Elgin, with whom he got the lands of Bridge of Spey, from Gavin Leslie, parson of Rothes, her uncle. They lived together sixty years. He died 29th September 1591, and she died in 1599. They had issue— 1591-99.

I. LANCELOT, who married, in 1599, Isabel Ogilvie, daughter of Alexander Ogilvie of Mildourie, by whom he had a son, Thomas. 1599.

II. NORMAN, who married Janet Leslie.

III. GEORGE, who was twice married. His second wife was Margaret Anderson of Bonnitown.

IV. JAMES, who married Miss Humphrey, and had two sons, John and Launcelot and several daughters.

V. WILLIAM, who married, first, a daughter of Thomas Leslie of Drudmacarie, and secondly, a daughter of John Leslie of Coldwall.

George Leslie had also three natural sons—

I. WALTER, who lived in the Glen of Rothes. He was accessory to the murder of Cardinal Beaton, for which he was obliged to go abroad, and died in France. He married Miss Dunbar, and had several sons and daughters.

II. GEORGE, of Lentusch, who had a son called Wanton Sandy, who had a son, John, and a daughter, Christian, who married Alexander Auchinleck in Aberdeen, who got with her the property of her grandfather, George Leslie of Lentusch.

III. ROBERT, who lived in Elgin, and married Isabel Leslie of Chapelton.

II. William Leslie succeeded his father as second Laird of Aikenway. He married, first, Margaret Winton, heiress of Cocklarachie, and had issue—

I. GEORGE, his successor, and two daughters, married respectively to James Hay, Netherboat of Spey, and James Innes, son of Innis of Dranie.

He married, secondly, Isabel Dunbar, sister of the Sheriff of Moray, and had—

I. WILLIAM, who married Catherine Innis of Auchluncart.

II. ALEXANDER, parson of Rattary, and afterwards of Rothes. He married Bessie Leslie, and had three sons, John, George, and Alexander; and three daughters Agnes, Isabel, and Catherine.

III. WALTER, styled of Ardconnan. He married a daughter of Innis of Auchluncart, and was accidentally shot with a poisoned bullet by Patrick Dunbar. He died childless.

IV. ROBERT, who married a daughter of John Anderson in the Struthers, and had issue—

I. WILLIAM, who succeeded his uncle George as fourth Laird of Aikenway.

II. NORMAN, a captain, who was killed abroad.

III. ADAM, who married Helen Cumming.

IV. ELIZABETH, married to Alexander Douglas, Provost of Edinburgh.

V. AGNES, married to James Cumming in Elgin.

VI. MARJORY, married to Duncan Grant of Elchies.

III. George Leslie succeeded his father as third Laird of Aikenway. He married Margaret Dempster of Muiresk, and had issue—

I. WILLIAM, who was treacherously slain, 8th May 1600, by Adam Cunningham, a son of Cunningham of Thorp. 1600.

II. AGNES, married to Robert Leslie of Rudderie.

IV. Having no surviving male issue, George Leslie made over his estate of Aikenway to his nephew, William, the son of his youngest brother Robert. William Leslie, fourth Laird of Aikenway, married, first, Elizabeth Ogilvie of Milton of Keith, by whom he had no issue. He married, secondly, Beatrix, daughter of John Brodie, preacher of the Gospel at the kirk of Aldernie. By their marriage-contract, dated 12th August 1642, William Leslie bound himself to infeft Beatrix Brodie in the lands of Aikenway, which was done 1st January 1644. By her he had three daughters, Christian, Margaret, and Jean. In January 1665, 1642. 1644. 1665.

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Leslie of Aikenway.

1681. 1685. 1699. 1603. 1617-23. 1632.

Christian, the daughter, and Beatrix Brodie, the relict, of William Leslie of Aikenway, were imprisoned at Elgin for refusing to take the test required by Charles II. in 1681, against the Covenanters, and were released after the death of the king, 6th February 1685. Beatrix Brodie, with the consent of her daughters, Margaret, Christian, and Jean, the children of her deceased husband, William Leslie of Aikenway, and of Duncan Forbes in Aikenway, spouse of the said Jean Leslie, executed a disposition of the lands of Aikenway in favour of Margaret, Countess of Rothes and Haddington, who had paid to her a certain sum for her liferent interest in the said lands—14th July 1699.

James Leslie, of the family of Aikenway, surnamed the king of love, was a colonel in the Muscovite service, in which he was distinguished for great courage, and received many wounds. But his parentage is not known. To this family also belonged Dr. William Leslie, who was Humanist in King's College, Aberdeen, in 1603, Regent in 1617, Sub-principal in 1623, and Principal in 1632.*

Shaw, in his *History of Moray* (p. 20), says that in the south corner of the parish of Dundurcus, on the banks of the river Spey, are the lands of

* *Fasti Aberdonenses*, Preface, pp. lxxiv lxxvi. lxxxii.; and Appendix, p. lxxix.

Aikenway, for several generations the property of a branch of the family of Rothes, and afterwards belonging to the Earl of Findlater as part of the barony of Rothes.

THE FAMILY OF LESLIE OF PITNAMOON.

THE family of Leslie of Pitnamoon is a branch of the family of the Earls of Rothes.

I. According to the *Laurus Lesleæana*, John Leslie, son of the Earl of Rothes, got from his father the lands of Pitnamoon, and married Marjory Ardes, daughter of the Baron of Ardes, and had issue—

I. GEORGE, his successor.
II. CHRISTINA, married to John Chalmers of Balbithan.

II. George Leslie, second Laird of Pitnamoon, married Jean Rait of Munamie, and had issue—

I. GEORGE, his successor.
II. ALEXANDER, born 1490. He married Christina Leslie, daughter and heiress of Alexander Leslie, third Baron of that Ilk in the Garioch, who succeeded her father in 1520, and in her right Alexander Leslie became fourth Baron of that Ilk. He also succeeded his brother George in the lands of Pitnamoon, and thus these lands became united to the barony of Leslie in the Garioch. 1490. 1520.

Besides these two sons, George Leslie, second Laird of Pitnamoon, had other two sons, and three daughters.

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Leslie of Pitnamoon.

III. George Leslie, third Laird of Pitnamoon, married Miss Wishart of Pitarro, by whom he had an only daughter. He was succeeded by his brother, Alexander Leslie, who, in right of his wife, was fourth Baron of that Ilk. He had a son John Leslie, who succeeded him as fifth Baron of Leslie, and Laird of Pitnamoon.

John Leslie of Parkhill.

JOHN LESLIE OF PARKHILL.

JOHN LESLIE of Parkhill, Rector of Kynnore, was the second son of William, third Earl of Rothes, by his wife Margaret, daughter of Sir Michael Balfour of Montquhanie.

King James V. granted a feu-charter to John Leslie, Rector of Kinnore, brother-german of George, fourth Earl of Rothes, of the lands of Parkhill in Fife, and revoked and annulled the feu-farm infeftment of these lands formerly granted to Janet Barclay and John Inch. The charter is
1537. dated at Edinburgh 24th March 1537.* James V. also granted a charter of the said lands of Parkhill, and of the wood of Ironside, and other lands, to John Leslie of Cleish, and Eupham Moncrief, his
1542. spouse, dated at Peebles, 10th July 1542.

John Leslie of Parkhill was taken prisoner at
1542. the route of Solway Moss in 1542, and was re-

* *Registrum Magni Sigilli*, lib. lxxvi. No. 103; and *Fœdera*, xiv. p. 797.

leased 1st July 1543. He aided his nephew, Norman, Master of Rothes, in the murder of Cardinal Beaton, for which he was forfeited, 14th August 1546. Queen Mary granted a charter, dated at Edinburgh, 25th October 1558, to John Grant of Fruichy, of the lands of Parkhill and others, which belonged to John Leslie, late of Parkhill, and were then in the queen's hands by reason of the forfeiture of the said John Leslie for treasonable crimes committed by him. On the restoration of John Leslie, John Grant of Fruichy resigned the above charter in favour of his beloved friend, John Leslie of Parkhill, and also the infeftment in the said lands which he had purchased for the conservation of the same to the said John Leslie and his heirs, 8th August 1567. 1546. 1558. 1567.

Andrew, fifth Earl of Rothes, made a contract with his father's brother, John Leslie of Parkhill, and the natural daughter of the said John Leslie, Joan Leslie, spouse to Alexander Dunbar of Cumnock, knight, bearing that the said John Leslie having no male heir lawfully begotten to succeed him, had made over his lands to the earl without reserving his liferent; wherefore, the said earl agreed to lease to the said John Leslie and his said daughter the Mains of Rothes, and other lands, for their lifetime—dated 13th March 1573. 1573.

John Leslie of Parkhill obtained letters of slains for the murder of Cardinal Beaton, from David, Earl of Crawford, John Beaton of Balfour, Robert

CHAP. II.

John Leslie of Parkhill.

Beaton, his brother, and several others, as nearest of kin and allies of umquhile David, Cardinal Beaton, Archbishop of St. Andrews, for themselves, and taking burden for their brethren, bairns, and friends, and for the four branches of the father's and mother's side of the said Cardinal, having consideration to the repentance of the said John Leslie of Parkhill, for the slaughter of the said Cardinal, their tender friend, committed and done by him, the said John Leslie, and his accomplices; and for sundry other causes, they remitted and forgave the said John Leslie the rankour of their wrath and deadly feud, with all actions criminal or civil—3d July 1575.

1575.

John Leslie of Parkhill married Euphemia, daughter of Sir John Moncrief, in 1526, and by her is said to have had two daughters, who probably died young, as no mention is made of them or their heirs in the contract made by the Earl of Rothes with John Leslie in 1573. John Leslie had no lawful male issue, and consequently he resigned his lands in favour of his nephew, Andrew, fifth Earl of Rothes, 24th March 1573, and he died in 1575.

1526.

1573.

1573.

1575.

Leslie of Ballybay.

THE FAMILY OF LESLIE OF BALLYBAY, IN IRELAND.

THE family of Leslie of Ballybay in Ireland is a branch of the family of the Earls of Rothes.

I. James Leslie, third son of George, fourth Earl of Rothes, by his third wife, Agnes Somerville, had by his first wife two sons—

I. HENRY, of whom presently.

II. GEORGE, Rector of Ahoghill, who died unmarried in 1638. 1638.

James Leslie married, secondly, Catherine Hamilton, daughter of William Hamilton of Tullimore and New Castle in the county of Down, but had no issue by her.

II. His eldest son, the Right Reverend Henry Leslie, D.D., born 1580, settled in Ireland in 1580. 1614. He was appointed Bishop of Down in 1614. 1635, and Bishop of Meath in 1650. 1635-50. He married Jane Swinton, and died 7th April 1661, leaving 1661. two sons—

I. ROBERT, who was appointed Bishop of Dromore in 1660, 1660. Bishop of Raphoe in 1661, and Bishop of Clogher in 1661. 1671. He married Nichola Hamilton, and died 10th 1671. August 1672, leaving a daughter, Jane, married to 1672. Cromwell Ward, by whom she had an only son, Henry Ward, who died without issue.

II. JAMES LESLIE of Sheeplands, born 1624. 1624.

III. James Leslie of Sheeplands married Jane Elchin of Downshire, by whom he had a son—

The Venerable Henry Leslie.

IV. The Venerable Henry Leslie, Archdeacon of Down, born 4th November 1641, married, 1641. 16th July 1679, Margaret Beaghan, an English 1679. lady, and had issue—

I. JAMES, born 1681. He died before his father. 1681.

II. PETER, ancestor of the Leslies of Ballybay, of whom presently.

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Leslie of Ballybay.

III. RANDAL.

IV. EDMUND, a colonel in the army, and member of parliament. He married Martha Corry, and died without issue in 1765.

V. Venerable HENRY, Archdeacon of Down.

VI. MARY.

VII. CATHERINE, married to Mr. Hamilton.

VIII. PENELOPE, married to Edmund Stafford of Brownstown, in the county of Meath, by whom she had a daughter,

1715. Anne, born 1715, married, in 1737, to Arthur, first Lord Dungannon, by whom she had issue—

1738. I. The Honourable ARTHUR TREVOR, born 24th December 1738. He married Letitia, eldest daughter of Hervey, first Viscount Mountmorres,

1770. and died in 1770, leaving an only son, Arthur, who succeeded as second Viscount Dungannon.

1742. II. The Honourable ANNE TREVOR, born 23d June 1742, married to Garret, first Earl of Mornington,

1759. in 1759, and died 10th September 1831, leaving issue—

I. RICHARD, Marquess of Wellesley.

II. WILLIAM, who was created Baron Maryborough, and succeeded his brother Richard as Earl of Mornington, and in the other Irish titles.

1769. III. ARTHUR, born 1st May 1769, created Duke of Wellington, Marquess of Douro, Marquess of Wellington, etc.

IV. GERALD VALERIAN, D.D., Prebendary of Durham, who married Emily Mary, eldest daughter of Charles Sloane, first Earl of Cadogan, and had issue.

1773. V. HENRY, born 20th January 1773, created

1828. Baron Cowley 21st January 1828. He died in April 1847.

VI. ANNE, married first to the Honourable Henry Fitzroy, secondly to Charles Culling Smith.

1745. IX. PRUDENCE, born 1745, married to Charles Powell Leslie of Glasslough, and has issue.

V. Peter Leslie, second son of the Venerable Henry Leslie, Archdeacon of Down, born in 1686, was Rector of Ahoghill, and married, 1st January 1718, Jane, daughter of the Right Reverend Dr. Dopping, Bishop of Meath, and died before 19th February 1773, having had issue— 1773.

I. Rev. HENRY LESLIE of Ballybay, in the county of Monaghan.

II. JAMES LESLIE of Leslie House, of whom hereafter.

III. SAMUEL, a major in the army. He died unmarried.

IV. Rev. EDMUND, Archdeacon of Down, married, first, Jane Macnaughten, and secondly, Eleanor Portis, and had issue, who succeeded to the property of Leslie House.

V. MARGARET, married to the Very Rev. Hill Benson, Dean of Connor.

VI. JANE, married to the Rev. Mr. Stewart.

VI. The Rev. Henry Leslie of Ballybay, LL.D., born in October 1719, was rector of Tanragee in Armagh. He married, in 1753, Catherine, daughter of the Very Reverend Charles Meredyth, Dean of Meath, and had issue— 1719. 1753.

I. PETER HENRY, born 1755. He was killed in action in America. 1755.

II. CHARLES ALBERT of Ballybay, in the county of Monaghan.

III. CATHERINE LETITIA, married to the Right Reverend William Forster, Bishop of Clogher, by whom she had issue—

I. JOHN LESLIE FORSTER.

II. HENRIETTA, married to Jerome, Count de Sales in 1810. 1810.

VII. The Rev. Henry Leslie of Ballybay died in February 1803, and was succeeded by his eldest surviving son, Charles Albert Leslie, born 23d 1803.

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Leslie of Ballybay.

May 1765. He married, 1st July 1799, Ellen, youngest daughter of Richard Maginis of Waringstown, and had issue—

I. HENRY, who died unmarried before his father, in December 1832.

1832.

II. CHARLES, who also died unmarried.

III. EMILY, heiress of Ballybay.

IV. ELIZABETH,
V. CATHERINE, } who all died unmarried.
VI. LETITIA,

VIII. Charles Albert Leslie of Ballybay died in June 1838, and was succeeded by his only surviving child Emily, married, first, to Arthur French, by whom she had issue—

1838.

I. ROBERT FRENCH.

II. CHARLES FRENCH.

III. ELLEN FRENCH.

IV. ALBERTINA FRENCH.

V. HENRIETTA FRENCH.

She married, secondly, the Rev. John Charles Leslie, fourth son of James Leslie of Leslie House, and had issue—

I. FERDINAND LESLIE.

II. MARION LESLIE.

Leslie of Leslie House.

THE FAMILY OF LESLIE OF LESLIE HOUSE.

THE family of Leslie, of Leslie House in Ireland, is descended from the Ballybay branch of the family of the Earls of Rothes.

The Reverend Peter Leslie, second son of the

Venerable Henry Leslie, Archdeacon of Down, by his wife Margaret Beaghan, born in 1686, was Rector of Ahoghill, and married, 1st January 1718, Jane, daughter of the Right Reverend Dr. Dopping, Bishop of Meath, and had issue— 1718.

I. Rev. HENRY LESLIE of Ballybay.
II. JAMES LESLIE of Leslie House.
III. SAMUEL LESLIE, a major in the army, and died unmarried.
IV. Rev. EDMUND LESLIE, Archdeacon of Down, of whom presently.
V. MARGARET, married to the Very Rev. Hill Benson, Dean of Connor.
VI. JANE, married to the Rev. Mr. Stewart.

I. James Leslie of Leslie House, in the county of Antrim, the second son, born in 1728, married, first, Elizabeth Corry, relict of Mr. Hamilton; and, secondly, Sarah Fleming, but had no issue by either of them. He died in 1796, and was succeeded by his nephew, James Leslie, son of the Venerable Edmund Leslie, Archdeacon of Down. 1728. 1796.

II. The Venerable Edmund Leslie, fourth son of the Reverend Peter Leslie, born in November 1735, married, first, Jane, daughter of John Macnaughten of Bewarden, and had issue— 1735.

I. PETER, who died in London.
II. BARTHOLOMEW, who died in India.
III. JAMES, who succeeded his uncle, James Leslie of Leslie House.
IV. EDMUND, who died in India.

He married, secondly, Eleanor, daughter of George Portis of London, and had issue—

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Leslie of Leslie House.

I. GEORGE, who married Elizabeth, daughter of Dr. Hutcheson of the County Down, through whom he became possessed of considerable property, and died in 1831, leaving issue—

I. EDMUND FRANCIS of Donaghadee.
II. GEORGE, in the Royal Artillery.
III. MARY ELEANOR, married to William Poe in 1842.
IV. ELIZABETH.
V. ELLEN.

II. Very Reverend HENRY LESLIE, Dean of Connor.

III. SAMUEL LESLIE, a Rear-Admiral, married Martha, daughter of George Vaughan.

IV. ELLEN, married to the Rev. Stephen Dickson, youngest son of the Right Reverend William Dickson, D.D., Bishop of Down. She died in giving birth to a daughter, Ellen.

III. Archdeacon Edmund Leslie died before
1790. 11th December 1790. His eldest surviving son,
1768. James Leslie, born 17th July 1768, succeeded his
1796. uncle, James Leslie of Leslie House, in 1796. In the same year he was Sheriff of Antrim. He
1795. married, 28th February 1795, Mary, daughter of Adam Cuppage, of the county of Armagh, and had issue—

I. JAMES EDMUND, his successor.
II. BARTOLDUS, who died young.
III. HENRY.
IV. Rev. JOHN CHARLES, who married Emily Leslie, heiress of Ballybay.
V. FRANCIS SEYMOUR.

IV. James Leslie of Leslie House died 17th
1847. April 1847, and was succeeded by his eldest son, James Edmund Leslie, who married, 14th April
1823. 1823, Sarah, daughter of Dr. Daniel Sandford, Bishop of Edinburgh, and had issue—

I. JAMES SANDFORD, who died young.
II. HENRY ERSKINE, also died young.
III. EDMUND DOUGLAS, born 22d December 1828.
IV. DANIEL SANDFORD, died young.
V. SEYMOUR MONTAGUE.
VI. FRANCIS MACNAUGHTEN.
VII. FRANCES MARY.
VIII. MARY WILHELMINA.
IX. SARAH AGNES.
X. JANE ELIZABETH.

THE FAMILY OF LESLIE OF FINDRASSIE.

Leslie of Findrassie.

I. THE Leslies of Findrassie are a branch of the house of Rothes. Robert, first Laird of Findrassie, was the son of George, fourth Earl of Rothes, by his second union with Margaret Crichton. As has been related, George, Earl of Rothes, married, in early life, Margaret Crichton, by whom he had two sons—Norman, Master of Rothes, and William Leslie of Cairney; after which he was divorced from his wife, and married successively Elizabeth Gray, Countess-dowager of Huntly, daughter of Andrew, third Lord Gray; and, as his third wife, Agnes Somerville, daughter of Sir John Somerville of Cumbusnethan, by whom he had a son, Andrew, who succeeded him as fifth Earl of Rothes, and several other sons and daughters. Agnes Somerville died about 1541, and 1541.
after her death the Earl of Rothes was reunited to Margaret Crichton, and the issue of this re-

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Leslie of Findrassie.

union was Robert Leslie, first Laird of Findrassie, and several daughters. George, fourth Earl of Rothes, settled his earldom and estates on his eldest son by his third wife Agnes Somerville, after the forfeiture of his eldest son by his first wife Margaret Crichton, Norman, Master of Rothes, forfeited for the murder of Cardinal Beaton

1546. in 1546, passing over William, his second son by the same marriage, probably because he was implicated in Norman's treason. Robert Leslie of Findrassie being full brother to Norman and William Leslie, although born only during the second union of his father and mother—his father having married twice between his separation and his re-union with Margaret Crichton—it was thought by some that he should have succeeded to the earldom and estates of Rothes in preference to Andrew, the earl's son by his third wife Agnes Somerville; and hence Robert Leslie of Findrassie was sometimes styled "the Righteous Rothes." But, as has been shown in the records of George, fourth Earl of Rothes, it does not seem that Robert Leslie had any right to claim the succession to the family honours in preference to his elder brother Andrew. George, Earl of Rothes, settled on him the lands of Findrassie, situated in the parish of New Spynie, in the shire of Moray or Elgin, on the river Lossie, about two miles west from the city of Elgin.

Robert Leslie, first Laird of Findrassie, married

the Honourable Janet Elphinstone, daughter of Lord Elphinstone, and had issue—

I. ROBERT, who succeeded his father as second Laird of Findrassie.

II. GEORGE, who became first Goodman of Burdsbank, of whom hereafter.

III. JOHN, who married Miss Cockburn, and had a son, James, who was a merchant in Dundee, and married Sarah Affleck of Auchinleck, and had a son, Robert, also a merchant in Dundee, and collector of the customs there, who bought the lands of Tarrie near Arbroath, and married Miss Anderson of Dundee, by whom he had a son, James, who married Miss Ramsay of Bomain, and several daughters. This James Leslie died abroad, leaving only one daughter; and his father Robert, having no other son, sold Tarrie, and left his money between the daughter of his son James, and his own daughters, one of whom, Catherine, married Lauchlan Leslie in Inch Leslie in Fife.

IV. JOHANNA, married to Durham of Grange in Angus.

V. AGNES, married to Meldrum of Seggie in Fife.

II. Robert Leslie, first Laird of Findrassie, added Guglee, Ethrie, and Rosmarke to his other possessions, and dying in 1599 was succeeded by his eldest son, Robert Leslie, second Laird of Findrassie, who was one of the commissioners appointed by the Privy Council, 25th September 1634, to "convocat his majesteis lieges in armes, and to pas, searche, and take all sorners, brokin men, and lymmars, committing any heirships, depredatiounes, stouthreaffes, wherever thay may be apprehendit."* These broken men were men

1599.

1634.

* *Trubles of Scotland*, vol. i. p. 420.

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Leslie of Findrassie.

of the Clan Gregor, Clan Ranald, Clan Lachlan, and other broken clans dwelling under the Laird of Macgregor, the Laird of Glengarrie, Allane M'Eane, Davy and his sons, the captain of Clan Ranald, and elsewhere in the Highlands.

Robert Leslie married Margaret Dunbar, daughter of Alexander Dunbar of Grange, Dean of Moray, and one of the Lords of Session, and had issue—

I. ROBERT, his successor.

II. JOHN, styled of Miltown, who married Elizabeth Nairn of Cromdale, and had three sons, John, George, and Walter, and three daughters, married respectively to Peter Grant of Delay, Robert Grant, Delmore, and Alexander Barclay, Tillynacht.

III. GEORGE, styled of Rayfleet, who married Giles Dunbar of Boyth, and had a son, Alexander, and several daughters.

IV. MARGARET, married to Sir John Gordon of Embo.

V. CATHERINE, married to James Douglas of Pittendrich.

VI. JEAN, married to James Cuthbert of Draickes.

III. Robert Leslie, second Laird of Findrassie, was succeeded by his eldest son, Robert Leslie, third Laird of Findrassie, who married Isabel Forbes, daughter of Abraham Forbes of Blackford, and had issue—

I. JOHN, who died unmarried before his father.

II. GEORGE, who succeeded as fourth Laird of Findrassie.

III. ABRAHAM, who succeeded his brother George as fifth Laird of Findrassie.

IV. JANET, married to Walter Innes of Innerbrachy.

V. ISABEL, married to Robert Dunbar of Brugy.

VI. JEAN, married to Sir Robert Gordon of Embo.

VII. CATHERINE, married to James Anderson of Westerton.

VIII. HELEN, married to Hugh Munro of New Muir, eldest son of Sir John Munro.

IX. BARBARA, married to Patrick Dunbar of Sydney.

IV. Robert Leslie, third Laird of Findrassie, was succeeded by his eldest surviving son, George Leslie, fourth Laird of Findrassie, who married Marion Bannerman, a Quakeress, daughter of Bannerman of Elsick. It is stated that he married also Nicholas Leith, daughter of Patrick Leith of Edingarioch and Likelyhead, by his wife Jean Leslie, daughter of William Leslie, seventh Baron of Balquhain. However, he left no issue, but died in 1692, and was succeeded by his brother, Abraham Leslie, fifth Laird of Findrassie. 1692.

V. Abraham Leslie, fifth Laird of Findrassie, had a son, John Leslie, who succeeded him as sixth Laird of Findrassie.

VI. John Leslie, sixth Laird of Findrassie, married, and had the following issue:—

I. ALEXANDER, born 1716. He succeeded as seventh Laird of Findrassie. 1716.

II. JOHN, born 1717. He died without issue before 1776. 1717-76.

III. ROBERT, born 1719. He also died without issue before 1776. 1719. 1776.

IV. ABRAHAM, born 1720. He succeeded his brother Alexander as eighth Laird of Findrassie. 1720.

V. CHARLES, born 1722. He had a farm on the estate of Findrassie, and a lease of the mansion-house of Findrassie from 1750 to 1771, and he resided there with his mother. He had an only daughter. 1722. 1750-71.

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Leslie of Findrassie.

John Leslie of Findrassie executed a deed of entail, 19th January 1736, binding his heirs of tailzie not to burden or to dispose of the estate or any part of it; and he granted bonds of provision for 4000 merks to each of his four younger sons. But the entail was written by himself, and not being framed with sufficient accuracy, it was consequently disputed, as will be shown afterwards. He was induced, on his deathbed it was alleged, to execute further bonds, giving to each of his younger sons 7000 merks additional.

1714. We find that, 27th January 1714, John Leslie of Findrassie, as executor of Abraham Leslie of Findrassie, his deceased father, raised an action against John and Hugh Millar for payment of 152 bolls of bere sold by Abraham Leslie to them, conform to their receipt bearing the tenant's name from whom they had received the victual. The Court of Session sustained the receipt, being *in re mercatoria*, and found the defenders liable for the ordinary price of bere in that part of the country when the bargain was made, although the defenders had contended that the price should be regulated by the fiars of the year. By this decision, parties buying grain without fixing a price are found liable for the ordinary price without regard to the fiars.

VII. John Leslie, sixth Laird of Findrassie,

1739. died in 1739, and was succeeded by his eldest son,

Alexander Leslie, seventh Laird of Findrassie, in the lands of Findrassie and Bardonside in Morayshire, and in the lands of Eathie and others in Ross.

Alexander Leslie was bred to no profession, and indeed, from the weakness of his mind, he seems to have been disqualified for any active business. Although he was of an obstinate disposition, yet it was always his fate to be governed by some one who acquired influence over him, and alienated him from his family and relations, as the sequel will show. Before his father's death, Alexander Leslie, by way of amusement, had gone a voyage with Captain Wood, a connection of the family, who commanded a merchant-ship, and when his father died in 1739, he was in the Mediterranean. 1739.
Upon his return home, instead of taking possession of the family-seat at Findrassie, he resided for two years in the town of Banff with the family of Captain Wood, who had acquired great ascendency over him.

Doubts having arisen among the members of the Findrassie family how far the fetters and limitations of the entail, such as it was made out by the late John Leslie, were effectually imposed upon Alexander Leslie; or whether it was only the following heirs of entail who were affected by the limitations; and also with regard to the validity of the additional bonds of provision granted by John Leslie on his deathbed to his

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younger children, in order to remove these doubts, Alexander Leslie was prevailed on to make a new settlement of the estates. Accordingly, 1st May 1740, Alexander Leslie executed a deed settling the Findrassie estates upon the same series of heirs as were called to the succession by the entail made by his father in 1736, and containing a clause by which it was expressly provided that it should not be lawful to him, or any of the heirs of entail succeeding to the estates, to burden and affect the said lands by any gratuitous deeds; but without prejudice to him and his heirs of tailzie, for onerous or rational causes, to burden the said lands, or to sell the same, in whole or in part, without restriction or limitation. This deed of settlement was deposited with the Earl of Fife, under the following articles of deposition :—

1740.

1736.

I. The additional bonds of provision for the brothers of Alexander Leslie are not to be delivered up, nor to have the effect of evidents, but in the event of the said Alexander Leslie prevailing in the Court of Session, and being freed from the irritative and other restrictive clauses contained in the deed of tailzie, and the deathbed bonds for 7000 merks granted by the late John Leslie being reduced.

II. The said bonds are not to be delivered up, or to have effect, until the said Alexander Leslie's four brothers arrive at the age of majority, and unless they, or such of them as are then alive, shall ratify the decree of reduction to be obtained.

III. In the event of the said Alexander Leslie prevailing in the action of reduction, and of his brothers

approving the same and the settlements made by him, the said bonds are to be delivered to his brothers, and to have full effect.

IV. In the event of the said Alexander Leslie failing in the action of reduction, or of his brothers refusing to ratify the same and the settlements made by him, the said bonds are to be null and void, and to be redelivered to the said Alexander Leslie to be cancelled.

Thereafter Alexander Leslie raised an action of reduction to have the entail made by his father in 1736 set aside, because of the perpetuity of the settlements, or at least to have it found that he was not bound by the irritant and restrictive clauses of the entail. To this action he called his brothers as defenders. They brought a counter-action against him, and insisted that Alexander Leslie ought to be ordained to make up titles to their father's estate under the entail of 1736. These mutual processes were taken to report by Lord Elchies; and, 24th July 1752, the Court found that the entail of 1736 was not liable to be reduced as being unintelligible, but found that the eldest son, Alexander Leslie, being fiar, was not liable to the irritancies therein contained, and therefore decerned accordingly in the action at the instance of the said Alexander Leslie against his brothers, John, Robert, Abraham, and Charles, and assoilzied him from the conclusions of the summons at their instance against the said Alexander Leslie.

1736.

1752.

1736.

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Alexander Leslie likewise brought an action of reduction to have reduced the bonds of provision granted by his father on his deathbed in favour of his younger children; and he prevailed in obtaining the reduction of these bonds, in so far as they could affect the heir and the heritable estate, upon the ground of their being executed by his father on his deathbed.

At the commencement of these legal proceedings, Alexander Leslie was still living with Captain Wood's family. Some of Alexander Leslie's friends being of opinion that Captain Wood made an improper use of the influence which he had acquired over him, succeeded in prevailing on him to quit Captain Wood's family, and to reside with his mother in the house of Findrassie. He took

1742. up his residence at Findrassie in 1742, with the intention of taking upon himself the management of his own affairs. However, after living some time at Findrassie, he went over to Ross, where

1743. the greater part of his estates lay, and, in 1743, he boarded in the town of Cromarty with Jean Chisholm, widow of John Mackenzie, a shipmaster, and who kept a public-house in Cromarty.

This Jean Chisholm prevailed on Alexander

1744. Leslie to marry her in the beginning of 1744. At this time she had three daughters by her former marriage living with her. Of these Alice Mackenzie was the eldest. Owing to the disagreements regarding his father's settlements with his

mother and his brothers, and the evil influence of other people over him, Alexander Leslie almost ceased to have any intercourse with his brothers and other relations, and the estrangement was increased when he married a woman so much beneath him in station. He was also involved in money difficulties, and we find that in 1750, when he was living with his wife at Bardonside in Morayshire, a messenger went to arrest him for a debt due to his mother. He made his escape from the house, and fled across the Frith into Ross. 1750.

By Jean Chisholm Alexander Leslie had issue—

I. JOHN, born in 1746. He was at school at Fortrose in 1758, and afterwards at Avoch, and then at Dingwall. In 1762 he was a fine lad, and was not sent to any school afterwards. He got his victuals in the kitchen with the servants of what came from his father's table. His step-sister, Alice Mackenzie, after her mother's death in 1754, acquired such influence over his father, that she induced him to believe that his son John was of weak mind. Under this pretence she treated the young man in the most inhuman manner, and he was reduced to such a state of wretchedness that, in 1774, he enlisted as a private soldier in the 42d Regiment, with which he went to America in 1777, and died there without issue, a sergeant in his regiment, in the following year, 1778. 1746. 1758. 1762. 1754. 1774. 1777. 1778.

II. WILLIAM, born in 1747. He attended the College of Aberdeen during the winter of 1760-61. In the summer of 1767 he fell into bad health, and died in the autumn of the same year. 1747. 1760-61. 1767.

Alexander Leslie's wife, Jean Chisholm, died in 1754, after which he fell under the dominion of 1754.

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Alice Mackenzie, his eldest step-daughter. This woman removed her two younger sisters out of the family, and having driven John Leslie, Alexander Leslie's eldest son, from his father's house, she availed herself of Alexander's weakness, and it was proved that she lived with him in a very indecent, if not criminal manner. She got him to execute two deeds leaving to her all his moveable property, and burdening the estate with a large sum of money to be paid to her. By the first deed, Alexander Leslie disponed to Alice Mackenzie, her heirs, executors, and assigns, after his decease, all his moveable furniture, farm-stock, and every moveable thing belonging to him, and let to her, for one year after his death, the mansion-house of Baddeny; and he nominated the said Alice Mackenzie his sole executrix, to take and keep possession of the said moveables as her own property, free from and disburdened of all his debts. By the second deed he bound and obliged himself, and his heirs, as well heirs of tailzie as of line, and his executors, to make payment to the said Alice Mackenzie, her heirs, executors, and assigns, over and above the foresaid moveables, of the sum of £4000 sterling, at the term of Whitsunday next to come, with the legal interest of the said sum from Whit-
1776. sunday 1776; and for further security to the said Alice Mackenzie, he bound himself to infeft her in the lands of Findrassie and in the lands

of Eathie. These two deeds are dated 16th October 1776.

Although Alexander Leslie lived secluded from all good society, and in a very mean manner, yet his affairs, under the control of his step-daughter, got into such disorder, that he was obliged to sell the estate of Bardonside, which was bought by the Earl of Findlater for £2500. When the above-mentioned deeds in favour of Alice Mackenzie were executed, there was a heritable debt of £1600 on the estate of Findrassie, besides upwards of £400 of personal debts. It appears that the rent of the estate of Findrassie, in 1783, was 1783.
scarcely £100 per annum; and the lands of Baddeny and Eathie, in Ross, were let for 300 chalders of victual, which, converted at fifteen shillings per boll, amounted to £360, making in all less than £500 per annum; so that, after paying the public burdens, the interest on the debt and on the bond to Alice Mackenzie would have exceeded the rental of the lands. Therefore, by the disposition in her favour, Alexander Leslie committed an act of bankruptcy, and put it in the power of Alice Mackenzie to take possession of his estates at Whitsunday 1777, in security of 1777.
the bond for £4000, which then in fact became payable, and which was made to bear interest from Whitsunday 1776. 1776.

Alexander Leslie, seventh Laird of Findrassie, died 25th January 1783. On the 25th February 1783.

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1776. 1783, Alice Mackenzie, his step-daughter, was infefted in the lands of Findrassie and others, upon the disposition of 16th October 1776; and, 25th March 1783, she granted an assignation of the heritable bond for £4000 to William Forbes, broker in London, who had married her sister, Margaret Mackenzie, and he was infefted in the lands of Findrassie and others 31st March 1783.

1783.

VIII. On the death of Alexander Leslie, seventh Laird of Findrassie, without surviving issue, his eldest surviving brother, Abraham Leslie, born

1720. 1720, fourth son of John Leslie, sixth Laird, succeeded as eighth Laird of Findrassie.

Abraham Leslie, while yet under age, attended the medical classes at the University of Edinburgh for three years, and received a degree as Doctor

1747. of Medicine. In 1747 he went to America to push his fortune. It being necessary to raise money to defray the expenses of his education, and to fit him out, he assigned the bond of provision for 4000 merks granted to him by his late father to the Reverend George Grant, who had married his aunt. His brother, Alexander Leslie of Findrassie, approved of this, and was a subscribing witness to the assignation. On this matter being arranged, Abraham Leslie left Scotland, and did not return till after the death of his

1783. brother Alexander, in 1783. In 1761 he came from Demerara, where he had made a little money,

to England, and from London he wrote to his brother Alexander, making an offer of the small sum he had made, in case the family affairs were in such a state that he might require it. But Alexander Leslie, acting under the influence of Alice Mackenzie, rejected the offer with unmerited reproaches, in a letter dated 10th October 1761. 1761.
This treatment was the more unreasonable, as Abraham had never interfered with Alexander or in his affairs. Abraham Leslie again left England, and went out to India, and was at Canton in China at the time of the death of his brother Alexander in 1783. 1783.
He being thus absent when the succession to the family estates opened to him, his friends made an application to the Court of Session, who appointed his brother, Charles Leslie, to be tutor and *curator bonis* upon the estate, real and personal, which belonged to the deceased Alexander Leslie of Findrassie, by an act of factory, dated 15th March 1783.

As tutor and *curator bonis*, and as one of the next heirs of entail, Charles Leslie raised a summons of reduction, 26th April 1783, to reduce 1783.
the deeds executed by the late Alexander Leslie in favour of Alice Mackenzie, on the following grounds:—

I. That the said deeds were informal, wanting the writers' names, witnesses, and designations.

II. That the said deeds were null and void, as Alexander Leslie had no power to burden the

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lands in virtue of the entails made by himself, and by John Leslie, his father.

III. That the said deeds were impetrated from Alexander Leslie by Alice Mackenzie and others, by fraud and circumvention.

IV. That the said deeds were never declared, Alice Mackenzie, on the death of Alexander Leslie, having taken possession of all his papers.

V. That the said deeds were irrational and unjust.

VI. That the edict taken by Alice Mackenzie for having herself decerned executrix to Alexander Leslie was never served at the parish kirk on a Sunday as directed, but on Monday, 17th February; therefore that the edict and confirmation were null and void, not having been served against the pursuer, and the other nearest of kin, and for these reasons the said deeds should be reduced.

The action was called before Lord Braxfield,
1783. the Lord Ordinary, 28th November 1783. The defender, Alice Mackenzie, and her brother-in-law, William Forbes, objected to the title of the pursuer, Charles Leslie, as not having proper authority from Dr. Abraham Leslie, then abroad, to carry on this action. The Lord Ordinary repelled the objection, and ordained Alice Mackenzie to give in special condescendence of the facts on which she founded her claims before 8th December 1783. A condescendence was accordingly given in, upon advising which, the Lord Ordinary, by an interlocutor dated 7th February
1784. 1784, allowed both parties a conjunct proof, and for that end granted a commission to take

evidence. Mr. Macleod of Geanies, Sheriff of Ross, was nominated commissioner, and on Friday, 21st May 1784, he proceeded to take proof at Cromarty. A very long proof was adduced with regard to an improper intercourse which had subsisted between Alice Mackenzie and the deceased Alexander Leslie. The Court of Session ordered both parties to give in memorials, 17th January 1785. In obedience to this order, a memorial was sent in on the part of Abraham Leslie proposing to show— 1785.

I. That it was *ultra vires* of the late Alexander Leslie to grant the deeds now sought to be reduced.

II. That even if the said Alexander Leslie had power to grant the said deeds, yet they could have no effect, being granted "ob turpem causam."

III. That the deeds were reducible upon the head of facility and lesion.

The case was argued at great length at different times; at last the Lords of Session, 13th December 1785, pronounced judgment to the effect that having advised the state of the process, testimonies of witnesses, writs produced, with the mutual memorials, and having heard parties, they sustained the grounds of reduction, and reduced accordingly, and found Alice Mackenzie liable in expense of process. 1785.

Dr. Abraham Leslie returned to Scotland only after the proof in this process had been concluded, he having been abroad more than thirty-five years,

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the greater part of which time he passed in India. He had an only daughter, Caroline Jemima, born in 1760. She succeeded him in the lands of Findrassie, and in 1794 married Sir John Leslie, fourth Baronet of Wardis, in whose family the estate of Findrassie remained till 1825, when his son, Sir Charles Abraham Leslie, sold it to Colonel Grant, of the East India Company's service, who made many improvements on the estate and mansion-house.

1794.

1825.

Leslie of Burdsbank.

THE FAMILY OF LESLIE OF BURDSBANK.

THE family of Leslie of Burdsbank is descended from the Findrassie branch of the family of the Earls of Rothes.

I. George Leslie, first Goodman of Burdsbank, was the second son of Robert Leslie, first Laird of Findrassie, by his wife, the Honourable Janet Elphinstone. He married Margaret Stirling of Craigborned, by whom he had issue—

I. WILLIAM, who succeeded him; and
Two Daughters, married respectively to Walter Halket of Moyen and Mr. Grant of Dalvey.

II. William Leslie, second Goodman of Burdsbank, married Helen Munro of Miltoun, and had issue—

I. GEORGE, who succeeded him; and
A daughter married to William Steenson.

III. George Leslie, third Goodman of Burdsbank, married Christian, daughter of Sir James Baird of Auchmeden, by whom he had issue, but no further trace of the family has been found.

THE FAMILY OF LESLIE OF NEWTON.

Leslie of Newton.

THE family of Leslie of Newton is a branch of the family of the Earls of Rothes.

I. John Leslie, first Laird of Newton, was the fifth son of Andrew, fifth Earl of Rothes, by his wife, Janet Durie of Durie. He got the lands of Newton from his father. He studied law, and was made a Lord of Session, and was styled the Honourable Sir John Leslie of Newton. He married the Honourable Elizabeth Gray, daughter of Patrick, seventh Lord Gray, and had issue—

I. JOHN, his successor.

II. ANDREW of Quarter, who married Margaret, daughter of Andrew Balfour of Grange. He bought the lands of Quarter, near Burntisland. He died about 1669, leaving a son, John, who had a son, Alexander, who succeeded as sixth Lord Lindores, in 1736. — 1669. — 1736.

III. JAMES, of Lumquhat. He was brigadier in the troop of Guards of Charles II. He married Janet Dick, daughter of the Laird of Grange, and had issue—

I. JAMES, alive and serving in Flanders in 1695, but died without issue before his father. — 1695.

II. JOHN, a captain in the army. He was served heir to his father, 31st October 1706. He had a son, John, who was served heir to his father, 8th November 1728. He had a son John, who was served heir to his grandfather, 30th June 1771; and had a son, John, who claimed — 1706. — 1728. — 1771.

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Leslie of Newton.

the title Lord Lindores, on the death of John, seventh Lord Lindores, 30th June 1775, but his claim was not allowed.

III. LAUCHLAN.

IV. JANET, married to Alexander Ross, Regent of St. Andrews, who was ousted in 1689.

1689.

V. Another daughter, married to David Corstorphin, portioner of King's Barns.

IV. ALEXANDER, styled of Buchan. He married Miss Macdonnell of Glengary, and was living in Morayshire in 1695.

1695.

1651. V. DAVID, killed at the storming of Dundee in 1651.

VI. VII VIII. Three daughters, married respectively to Kirkaldy of Grange, Andrew Dick, son of the Provost of Edinburgh, and Mr. Grant of Ballindalloch.

The estate of Newton was settled by Andrew, fifth Earl of Rothes, on his fourth son, the Honourable George Leslie, and the heirs-male of his body, with remainder to the Honourable John Leslie, his fifth son, and the heirs-male of his body; and accordingly, on the death of the Honourable

1614. George Leslie, without issue, in January 1614, the Honourable John Leslie succeeded in the lands of Newton, and was served heir to his brother, 5th

1620. July 1620. He had charters of the barony of Newton, 31st March 1620; of the teind-sheaves

1634. of Newton, 18th January 1634; and of the lands

1643. of Lochmyle in Fife, 7th August 1643. James, Duke of Lennox, proprietor of the lordship of the priory of St. Andrews, granted a disposition to John Leslie of Newton, of certain teinds, 15th

1633. July 1633. John, Earl of Loudoun, Lord Chancellor, granted a disposition of the annuities of

the foresaid teinds in favour of Sir John Leslie of Newton, one of the Senators of the College of Justice, 7th June 1644.

The Honourable Sir John Leslie of Newton was appointed a Lord of Session by act of parliament, 13th November 1641, and was one of the Commissioners of Exchequer 1645. Having accepted the commission of lieutenant-colonel in the king's Horse Guards, and having been concerned in the engagement for the rescue of Charles I., in 1648, he was deprived of his offices by the act of Classes in 1649. He was engaged in the storming of Dundee by General Monk, 1st December 1651, and was killed there along with his son David. He was succeeded in the barony of Newton by his eldest son, Sir John Leslie of Birkhill.

1641. 1645. 1648. 1649. 1651.

II. Sir John Leslie of Birkhill married Isabel Hay, daughter of George Hay of Naughton. By their marriage-contract, dated 19th April 1650, Sir John Leslie of Newton for himself, with the consent of Elizabeth Gray, his spouse, and taking burden upon him for Sir John Leslie of Birkhill, his eldest son, bound himself to George Hay of Naughton, as taking burden on himself for Isabel Hay, his eldest daughter, to resign certain lands in the barony of Balmerino in Fife, in favour of the said Sir John Leslie of Birkhill, and Isabel Hay his spouse, in liferent, and to the heirs-male to be procreate betwixt them, with remainder to

1650.

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Leslie of Newton.

Andrew Leslie, second son of Sir John Leslie of Newton, and his heirs-male; whom failing, to David Leslie, James Leslie, and Alexander Leslie, his sons, and their heirs-male successively; whom all failing, to John, seventh Earl of Rothes, and his heirs. By Isabel Hay, Sir John Leslie of Birkhill and Newton had issue—

I. JOHN, his successor.

II. ELIZABETH, married to William Dick of Grange. She died before her father, leaving two daughters, Anna and Janet.

III. MARY, who married, without her father's consent, Andrew Bruce, minister of Balmerino, and had issue. She married, secondly, Laurence Acton of Drumtown, and had children alive in 1739.

1739.

IV. CLARA, } both died unmarried.
V. HELEN, }

Sir John Leslie of Newton, by his procurator, in the presence of John, Earl of Rothes, resigned certain lands into the hands of the king, 6th July

1666.

1666, and got a charter of the same under the Great Seal, dated at Whitehall, 18th July 1666,

1672.

and sealed at Edinburgh, 23d July 1672. He also resigned certain lands, reserving to himself, and Isabel Hay, his spouse, the liferent, in favour of his son John Leslie, and his heirs-male, with remainder to his own heirs-male by his present or any other marriage; whom failing, to Clara Leslie, his daughter, and her heirs; whom failing, to Helen Leslie, his youngest daughter, and her heirs, and excluding for ever Alexander Leslie of Balchrunie, and Mary Leslie, his own daughter, spouse of

Leslie of Newton. 1675.

Andrew Bruce, late minister of Balmerino, and her heirs—25th February 1675.

Sir John Leslie, second of Newton, died, leaving considerable debt on his estates, and was succeeded by his son, Sir John Leslie, third of Newton.

III. Sir John Leslie, third of Newton, got the family estates burdened with debt, which he considerably increased. He married Jean Melville, daughter of Melville of Mortcarnie, but died soon afterwards without issue, before 21st September 1698. He was succeeded by his nieces, Anna and Janet Dick, daughters of his eldest sister Elizabeth, who married William Dick of Grange. 1698.

They sold the estate of Newton in 1698 to Margaret, Countess of Rothes, and it was again annexed to the estates of the Rothes family. 1698.

THE FAMILY OF LESLIE, LORDS LINDORES.

THE family of Leslie, Lords Lindores, is a branch of the family of the Earls of Rothes.

Patrick, First Lord Lindores.

PATRICK,

FIRST LORD LINDORES.

PATRICK LESLIE, Commendator of Lindores, was the second son of Andrew, fifth Earl of Rothes, by his wife, Grizel Hamilton, daughter of Sir James Hamilton of Finnart. He was knighted by King James VI., and got from his father con-

CHAP. II.

Patrick, First Lord Lindores.

siderable estates, amongst others the lands of Pitcairlies, whence he was styled Sir Patrick Leslie of Pitcairlies. James VI. also bestowed on him the abbey of Lindores *in commendam*, on the resignation of John Leslie, Bishop of Ross.

Sir Patrick Leslie was never properly Lord Lindores, although he assumed the title. The abbey of Lindores was erected into a temporal

1600. lordship only, 31st March 1600, in favour of his son Patrick—Sir Patrick the elder holding only

See App. No. VI. the title of Commendator of Lindores. King

1600. James VI. granted a charter, 31st March 1600, in favour of Patrick Leslie, son of Patrick Leslie, Commendator of Lindores, erecting the abbey of Lindores into a temporal lordship, with the title, rank, and vote of a lord of parliament, to be held by the said Patrick and his heirs-male and assigns; and, 15th November 1600, a parliamentary ratification of this grant was passed in favour of the grantee, designed as Patrick Leslie of Pitcairlies.

1606. In 1606 another act of parliament was passed in favour of Patrick Leslie elder, now Lord Lindores, sometime Commendator of Lindores, dissolving the mansion, manor-place, and others, from the temporality of the abbey in the hands of the crown, upon a narrative of the former grant of 1600 to Patrick, now Master of Lindores, styled lawful son of the said Patrick, Lord Lindores, and including him in the benefit of the act. It further ordains a new charter of erection

and infeftment of the temporal lordship and dignity of Lindores again to the disponee of 1600, Patrick Leslie younger, and to his heirs-male, and assigns aforesaid. But this charter does not seem to have been executed.

Thus strangely the Commendator of Lindores was Lord Lindores, and his son was only Master of Lindores in 1606, which is utterly incompatible with the grant of 1600.

The ancient abbey of Lindores was founded by David, Earl of Huntingdon, on his return from the Holy Land, in the reign of William the Lion, about 1173, and was dedicated to St. Mary and St. Andrew, for Benedictine monks. The abbey possessed twenty-two churches, and many lands in different counties. In 1208, there were an abbot and twenty-six monks composing the convent or community of Lindores. Some of the ruins of the abbey and of the church still remain, with parts of the garden-walls. These mouldering fragments of the ancient structure, half-covered with ivy, and surrounded with thorn and hazel, give an air of melancholy grandeur to the place. The last of the Douglasses died at Lindores.

1173.

1208.

John, Abbot of Lindores, granted a charter to Andrew, fifth Earl of Rothes, setting to him in free farm the lands of Red and Cow Inches, for a grassum of £500, and a yearly rent of 20 merks, 2d March 1558; also a charter of the lands of Grange of Lindores, and the wood called park of

1558.

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Patrick, First Lord Lindores.

Lindores, with the orchards and yards near the abbey of Lindores. These charters were confirmed by Queen Mary, 31st May 1565, by a charter bearing that the confirmation by the queen of any feu infeftment of Church lands set from 6th March 1558, should be as valid as if the same had been obtained from the Court of Rome and the Apostolic See, or by whatever other order, as the act of parliament purports.

Patrick, Commendator of Lindores, for a stipulated sum of money, let to Andrew, fifth Earl of Rothes, the small teinds and sheaves of Old Lindores, for nineteen years; also he granted to the said Andrew, Earl of Rothes, and Lady Jean Ruthven, Lady Methven, his future spouse, and to the longest liver of them two, in conjunct fee, and to the heirs-male to be procreate betwixt them; whom failing, to the earl's heirs whomsoever, all the orchards and walled fruit-yards of
1573. Lindores, 3d October 1573. With the consent of Andrew, Earl of Rothes, his father, administrator, and tutor, Patrick, Commendator of Lindores, for divers sums of money, set in tack to Janet Lindsay, relict of Sir William Scott, and to her son James, all the teind-sheaves of certain lands for nineteen years, for an annual rent of £46 sterling—19th
1575. March 1575. Patrick Leslie, Commendator of Lindores, gave a discharge bearing that he set to Andrew, fifth Earl of Rothes, and Andrew Leslie his son, for their lives, and nineteen years there-

after, the small teinds and sheaves of Parkhill, Old Lindores, and other lands named, for certain yearly rents specified; and, in consideration that the said earl had advanced to the said Patrick Leslie large sums of money to settle his estates, and for performing divers affairs, and for other urgent causes, the said Patrick granted to the said earl and his heirs the mails, farms, and duties of the lands of Parkhill and others, and therefore he discharges the said earl from all actions, etc.—dated 1580. Patrick, Commendator of Lindores, granted a tack of all the east meadows of Lindores to Andrew, fifth Earl of Rothes, 4th April 1583; also, for certain sums of money, and for good service done, he set to the said earl, and his heirs, all the teinds, as well parsonage as vicarage, of the lands of Parkhill, with the meadows, wood, orchards, park, and others, pertaining to the abbey, for an annual rent of £10 Scots, to be paid at Candlemass and Rood-day, 10th May 1584; also another tack of the teinds of Parkhill to the said earl and his heirs, for nineteen years, for an annual rent of 13 merks—8th November 1599. 'Andrew, fifth Earl of Rothes, resigned the lands of Red and Cow Inches into the hands of Patrick, Lord Lindores, liferenter of the lordship, and of Patrick, Master of Lindores, his son, fiar of the lordship and superior of the same, for new infeftment to be given to James, Master of Rothes, the earl's son and heir, 19th April 1602.

1580.

1583.

1584.

1599.

1602.

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Patrick, First Lord Lindores.

Patrick, first Lord Lindores, married Lady Jane Stewart, daughter of Robert, Earl of Orkney, and had issue—

I. PATRICK, his successor.

II. JAMES, who succeeded his brother Patrick as third Lord Lindores.

III. ROBERT, who married twice, and had issue by his first wife—

I. GEORGE, an officer in the army.

II. Sir JAMES, who served with the rank of colonel in Ireland, and received the honour of knighthood.

III. SUSAN, married to Major-General Arnot of Grange.

Robert Leslie married, secondly, Catherine Basset, by whom he had a daughter—

I. CATHERINE.

IV. LUDOVIC, who served as a colonel in Germany and in England with great repute. He died unmarried.

V. DAVID, who was created Lord Newark, of whom hereafter.

VI. ELIZABETH, married to Sir William Sinclair of Muy.

VII. JANE, erroneously said to have married, first, George Leslie, eighth baron of that Ilk in the Garioch, and after his death, to have married, secondly, John Forbes, second son of Forbes of Monymusk, who paid the debts due on the estate of Leslie, and obtained possession of the barony, whence he assumed the style of John Forbes, Baron of Leslie, in 1620. It seems that John Forbes of Leslie was the first and only husband of Jane Leslie.

1620.

VIII. MARGARET, married to John, second Lord Maderty, and was the mother of General Drummond.

IX. JANET, married to Sir John Cunningham of Broomhill.

X. MARY, married to Sir David Barclay of Cullairney.

Patrick, Second Lord Lindores.

PATRICK,

SECOND LORD LINDORES.

PATRICK, Commendator and Lord Lindores, was

succeeded by his eldest son Patrick, second Lord Lindores.

As has been observed, the abbey of Lindores was erected into a temporal lordship, 31st March 1600, in favour of Patrick Leslie, son of Patrick, Commendator of Lindores; yet, during his father's lifetime, Patrick the younger was styled only Master of Lindores, while his father was styled Lord Lindores. 1600.

By the charter of 31st March 1600, King James VI., for the good and faithful services done to him by his domestic servant, Patrick, Commendator of Lindores, and by his cousin and councillor, Andrew, Earl of Rothes, and by their families and friends, granted to Patrick Leslie, son of the said Patrick, and to his heirs-male whomsoever, and their assigns, the whole of the manor of Lindores, formerly called the monastery and abbey-place of Lindores, with all the houses, mansions, buildings, and gardens of the same; the lands and barony of Grange of Lindores, the towns of Grange, Berriehill, Ormstoune, Haltounhill, Lumquhat, Cluney, Woodhead, Southwood, and Eastwood, and others, with the fishings on the river Tay; Saltinsche, Reidinsche, Kowinsche, Saltgirs, Reidhillok, Park, Litilhillok, Inches, the orchards of Lindores, the King's Meadow, Dukcroft, Durrieland of Creichie; the toft of Cowessie, of Auld Lindores, of Killoche, and of Auchtermuchtie; Craigend, Craigmyle, Kigishoill, Marys- 1600.

CHAP. II.

Patrick, Second Lord Lindores.

croft, Cairtwaird, Woodroof, Threipland with Monthe, Monasteri, and Olivrycruik; the Kirklands of Ebdie, Monkismos, Newland, Unland, and certain lands and tenements in St. Andrews and in Falkland; an annual rent of fifty-three shillings and fourpence out of the lands of Denmylne, and of eight shillings from the burgh of Cupar in Fife, and of five shillings and tenpence out of Carraile, within the regality of Lindores and county of Fife; the lands and barony of Feddellis, Wester and Easter Feddellis, the Mill of Feddellis, Berry, Cuthkin, Eklismagirgill, with the mill of the same, a large house in Perth, and two tenements in the Watergate, an annual rent of forty shillings from the house of Robert Blaikwood in Perth, of fourteen shillings from the house of Master George Ruthven in Perth, of thirteen shillings and fourpence from the house of John Rind in Perth, of five shillings from the house of Patrick Grant in Perth, of twenty-six shillings and eightpence from the lands of Pitfouri, of seven shillings from the lands of James Gild in Perth, of four shillings and fourpence from the lands of John Drummond and Patrick Inglis in the end of the Mealvennel, of thirteen shillings and fourpence from the lands of Robert Cok the baker, of thirteen shillings and fourpence from the lands of David Johnston in Castell Gavill, of three pounds six shillings and fourpence from Erlisdyikes, of thirteen shillings and fourpence from the lands of Andrew Trumpet,

of thirty shillings from the lands of Oliver Makesone, of eighteen shillings from the lands of William Lamb beyond the gate of Castellgavall,—all within the said burgh of Perth, in the regality and county of Perth; all the lands of Balmaw, Newtyle, Hilend, Hiltoune, and Milltoune of Craigie, Claypots, Ferrietoune, with the white and red fishings on the Tay; the lands of Ardoche, the Kirklands of Dunde, called Vicaris land, and others; two tenements and a piece of land in Abbotswynd, Dundee, and other tenements and annual rents in Dundee; all the lands of Halwistouns, Halend, Fischerhill, Little Witstouns, Nether Witstouns, Pittareis, Pittargus, Pittamone, with the mill and astricted multures; the lands of Marcharie, Scotstoun, and the red and white fishings in the sea and the river of North Esk, and an annual rent of eight shillings from Bervie in the county of Kincardine; all the lands and barony of Wranghame, the lands of Craigtoune, Kirkhill, Mostoune, Christskirk, the Mill of Leslie, the Kirklands of Auld Leslie; the lands of Largie, Newton; Wranghame, with the mill and ward of the same; Kirktoune of Culsamond, Pilquhyit, Ledinghame, and Williamston, with the mill; Malingsyid, Flendirs, Logydurno, Etherlik, Kirktoune of Insch, Kirktoune of Premnay, Tullymorgan; the Kirklands of Kinnethmount, Christskirk, Premnay, Insch, Culsamond, and Logydurno; the chapel lands of Garioch, the lands and barony of Fintray,

CHAP. II.

Patrick, Second Lord Lindores.

Hatton of Fintray, the lands of Logyfintray, Fosterissait, Wester Fintray, Langcruik, Milton of Fintray, Balbithan with the fishing in the Don, Hetherwick, Craigforthie, Badiforie with the fishing in the Don, Monkegie, Westbynnes, Kinmuck, Tullicherie, Westerdisblair, Easter Disblair, Cavillsmill, Middle Disblair, Smiddyhouse, Smiddiecroft, Alehousecroft, Insche, Derocroft, the salmon-fishings in the river Don; the house, garden, and coble-fishing at Futtey; an annual rent of eight merks from Balhagertie, and other annual rents from Kellie and Inverurie; the Kirklands of Fintray, Inverurie, and Monkegie, which formerly belonged to the abbey of Lindores, in the county of Aberdeen; the burgh of barony or regality, and town of Newburgh, with the right of holding a weekly free market there on Saturday, and an annual market on Saint Catherine's day; the patronage of the parish churches of Ebdie, Auchtermuchtie, Creichie, Collessie, Eglismagirgill, Dundee, Fintray, Inverurie, Monkegie, Logydurno, Culsamond, Insch, Kinnethmount, Christskirk, Auld Leslie, and Premnay.

See App. No. VI.

Patrick, Lord Lindores, was served heir to his uncle, the Honourable Sir Andrew Leslie of Lumbanny, 9th April 1609. A brieve of Chancery was directed to him, requiring that whenever John, Earl of Rothes, heir to the deceased James, Lord Leslie, his father, should do what he was bound by law to do, Lord Lindores should give

1609.

him sasine of the Red and Cow Inches, 20th July 1613. Patrick, Lord Lindores, made a contract with John, Earl of Rothes, 14th April 1638, bearing that the Earl of Rothes and his predecessors, heritors of the lands of Parkhill, had been tacksmen of the teinds of the said lands set to them by the abbots and Lord Lindores, by a lease of which there were several years yet to run, and that the Earl of Rothes had paid large grassums to Lord Lindores, who therefore set to the said earl for his lifetime, and after his decease for three lifetimes, and thereafter for three times nineteen years, all the teinds of the lands of Parkhill, the Earl of Rothes obliging himself to pay all burden of stipends.

Patrick, Lord Lindores, seems to have been a very extravagant nobleman; he squandered the immense estates and revenues of the abbey of Lindores which he got from the king. His brother-in-law, John Forbes of Leslie, got from him many of his estates, along with the teinds of many lands and baronies, for little or nothing, as is shown by the deeds of disposition now in the possession of the family of Leslie of Balquhain at Fetternear House. Of the sixteen churches of which Lord Lindores obtained the patronage, he disposed of no less than fifteen, many of which came into the possession of the Forbeses of Craigievar and Fintray.

Patrick, second Lord Lindores, had no lawful

CHAP. II.

Patrick, Second Lord Lindores.

issue, but he had several natural children, of whom were, James, a lieutenant in the army; Robert and Ludovick, who went to the Barbadoes; and Francis, who lived at Weems. He died in

1649. August 1649, and was succeeded by his brother, James, third Lord Lindores.

James, Third Lord Lindores.

JAMES,

THIRD LORD LINDORES.

JAMES, second son of Patrick, Commendator of Lindores, first Lord Lindores, by Lady Jane Stewart, his wife, succeeded as third Lord Lindores on the death of his elder brother, Patrick, second

1649. Lord Lindores, in August 1649.

James, third Lord Lindores, was an excellent nobleman. He inherited little or nothing but the title from his brother Patrick, who had wasted the great estates which the king had granted to the family. He was lord of the bedchamber to King Charles II. He married, first, a daughter of Ormestone of Ormestone, but had no issue by her. He married, secondly, Mary, third daughter of Patrick, seventh Lord Gray, by whom he had a son—

I. JOHN, who succeeded as fourth Lord Lindores.

He married, thirdly, Miss Clepburn, by whom he had a daughter—

I. JANE, married, first, to John Stewart of Innernytie, and, secondly, to John Bruce of Blairhall. Dame Jane Leslie, daughter of James, Lord Lindores, and aunt of

the deceased David, Lord Lindores, and next of kin and heir of line to him, executed a disposition of the estate of Lindores, 8th June 1736, in favour of Alexander, sixth Lord Lindores.

JOHN,

FOURTH LORD LINDORES.

JAMES, third Lord Lindores, died abroad before 20th July 1667, and was succeeded by his son John, fourth Lord Lindores. 1667.

On the 20th July 1667, the Court of Session granted a decreet of apprising, ordering infeftment to be granted to John Bayne of Pitkerlie, of all the lands which pertained to the deceased James, Lord Lindores, father of the within-designed John, Lord Lindores, to the deceased Patrick, Lord Lindores, uncle of the said John, Lord Lindores, and to the deceased Patrick, Lord Lindores, guidsire of the said John, Lord Lindores, and which lands were apprysit from the said John, Lord Lindores, as lawfully charged to enter heir in special to his said father, uncle, and guidsire.

By the interest of John, Duke of Rothes, John, Lord Lindores, obtained a grant of the house and grounds of Lindores, and somewhat of the property about Lindores, and he got a charter of the same, 1st August 1694, to himself in liferent, and to his son and heir, David, Master of Lindores, and his heirs and assigns whomsoever, in fee. 1694.

John, Lord Lindores, married, first, Lady

CHAP. II.

John, Fourth Lord Lindores.

Marion Ogilvie, daughter of James, second Earl of Airlie, and relict of James Elphinston, Lord Cowper. By her he had a son—

I. DAVID, who succeeded him.

He married, secondly, Jane Gibson, relict of Sir Hugh Maculloch of Piltoun, but had no issue by her.

1706. He died in 1706, and was succeeded by his only son, David, fifth Lord Lindores.

David, Fifth Lord Lindores.

DAVID,

FIFTH LORD LINDORES.

DAVID, fifth Lord Lindores, married Margaret, daughter of Archibald Stewart of Dunearn, and relict of Sir Archibald Stewart of Burray. But he had no issue; consequently he executed a disposition,

1718. 18th December 1718, bearing that, being desirous to settle what remained of his estate of Lindores in the best manner for the preservation of the memory of the family, and considering that the deceased David, Lord Newark, grandfather of the present Dame Jane Leslie, Lady Newark, was a son of the deceased Patrick, first Lord Lindores, he therefore settled the estate of Lindores on the said Dame Jane Leslie, Lady Newark, who, 20th

1736. August 1736, was served heiress of provision of David, Lord Lindores. She, with the consent of her husband, Sir Alexander Anstruther, executed a disposition of the lands, lordship, and estate of Lindores, as contained in the settlement of David,

Lord Lindores, to her, in favour of Alexander, sixth Lord Lindores, in April 1738.

ALEXANDER,

SIXTH LORD LINDORES.

DAVID, fifth Lord Lindores, died without issue, in July 1719, and was succeeded by his collateral heir-male, Alexander Leslie of Quarter, sixth Lord Lindores, great-grandson of Sir John Leslie of Newton, the brother of Patrick, Commendator and first Lord Lindores. 1719.

Andrew Leslie, second son of Sir John Leslie of Newton, a major in the army, acquired the lands of Quarter in the parish of Burntisland. He married Margaret, daughter of Andrew Balfour of Grange, and died in 1669, leaving a son, John Leslie of Quarter, who was served heir to his father 30th November 1679. He married a daughter of Spittal of Leuchat, by whom he had a son, Alexander, and two daughters, of whom the elder was married to Spittal of Leuchat, and the younger, Jane, died unmarried. John Leslie of Quarter died 29th July 1706. His son, Alexander Leslie, was served heir to him 16th August 1717, and succeeded as sixth Lord Lindores on the death of David, fifth Lord, in 1719. 1669. 1679. 1717. 1719.

Alexander, sixth Lord Lindores, was an officer in the 3d Regiment of Foot Guards, in which he held the commission of lieutenant in 1734, of 1734.

CHAP. II.

Alexander, Sixth Lord Lindores.

captain in 1745; he was appointed colonel of the 77th Regiment 7th April 1758; he had the rank of major-general in the army 24th February 1761; and was appointed colonel of the 41st Regiment 16th May 1764.

1761,

1764.

He married Jane, daughter of Colin Campbell, Commissioner of the Customs, and by her he had a son—

I. FRANCIS, who succeeded him.

1746-1846. II. HUGINA, born 15th March 1746; died 22d April 1846, as is shown by the following extract:—

1846. "Died at Cupar in Fife, on Wednesday 22d April 1846, Miss Hugina Leslie, aged 100 years, 5 weeks, and 3 days; having been

1746. born 15th March 1746. She was the last representative of the

1745. distinguished house of Leslie of Lindores. In the year 1745, her father took an active part in the army under the Duke of Cumberland, and long survived that eventful period. Lord Lindores, the brother of Miss Leslie, died many years ago, when the title became extinct. He left the whole of his effects to a friend in England, who, however, as soon as he became aware of the existence of this sister of the deceased Lord, settled an annuity upon her, which she received until her death."

As has been related, Dame Jane Leslie, Lady Newark, with the consent of her husband Sir Alexander Anstruther, in April 1738 executed a disposition of the lands, lordship, and estate of Lindores, as contained in a deed of settlement by David, fifth Lord Lindores, to her, in favour of Alexander, Lord Lindores.

Alexander, sixth Lord Lindores, died in August

1765. 1765, and was succeeded by his only son, Francis, seventh Lord Lindores.

FRANCIS,

SEVENTH LORD LINDORES.

FRANCIS, son of Alexander, sixth Lord Lindores, on the death of his father in August 1765 succeeded as seventh Lord Lindores. He had a company in the Marine Forces, March 1757. He 1757.
died without issue 30th June 1775, when the title 1775.
was claimed by John Leslie of Lumquhat, great-great-grandson of James Leslie of Lumquhat, third son of Sir John Leslie of Newton, the brother of Patrick, Commendator and first Lord Lindores.

James Leslie, third son of Sir John Leslie of Newton, got the lands of Lumquhat 20th March 1669. He died, October 1705, leaving a son, 1669.
John, who was served heir to his father 31st October 1706. He had a son, John, who was 1706.
served heir to his father 8th November 1728. 1728.
He had a son, John, who was served heir to his grandfather 30th June 1771; and had a son, 1771.
John Leslie of Lumquhat, who was served heir to his father 2d February 1774. This John Leslie 1774.
of Lumquhat was an officer in the 26th Regiment. He claimed the title of Lord Lindores on the death of Francis, seventh Lord; and he voted as Lord Lindores at several elections without challenge. But at the general election, 24th July 1790, his votes were objected to, and the House of Lords, 6th June 1793, resolved that "the votes 1793.
given by the Lord Lindores at the said election

CHAP. II.

Francis, Seventh Lord Lindores.

were not good." During the examination, a charter was produced in favour of heirs-male whomsoever; but after this charter, the grantee, Patrick Leslie, was styled and treated as a commoner, and the claim under it by an heir-male whomsoever, though backed by possession of considerable length, was rejected, because the House of Lords presumed that some other patent had been granted limiting the honour to heirs-male of the body.* Hence the title of Lord Lindores may be presumed to have become extinct in 1719, on the death of David, fifth Lord, though Alexander, sixth Lord, and Francis, seventh Lord, were *de facto* Lords Lindores, their title not being challenged.

1719.

Leslie, Lords Newark.

THE FAMILY OF LESLIE, LORDS NEWARK.

THE family of Leslie, Lords Newark, is descended from the Lindores branch of the family of Leslie, Earls of Rothes.

David, First Lord Newark.

David Leslie, first Lord Newark, born 1601, was the fifth son of Sir Patrick Leslie, Commendator of Lindores, first Lord Lindores, by his wife, Lady Jane Stewart, daughter of Robert, Earl of Orkney.

David Leslie adopted the profession of arms, and entered the service of Gustavus Adolphus,

* Douglas's *Peerage*, vol. ii. p. 122; and Riddell's *Remarks on Scotch Peerage Law*, p. 126.

CHAP. II.

David, First Lord Newark.

King of Sweden, during his wars in Germany. There he attained the rank of colonel of horse, and acquired the reputation of being an excellent officer. When the civil war broke out in Scotland, David Leslie was called home by the Covenanters in 1637, and was appointed Lieutenant-General of the Scotch army sent by the Parliament to England in 1643, to assist the English Parliament against King Charles I. He greatly contributed to the defeat of the royal army at Marston Moor, in July 1644—the cavalry under his command breaking and dispersing the right wing of the royal army. He also defeated Musgrave and Fletcher in Cumberland. He was recalled to Scotland in 1645, to oppose Montrose, when Parliament passed an act constituting him Lieutenant-general of horse. He defeated Montrose at Philiphaugh, 13th September 1645, for which victory Parliament voted him 50,000 merks out of the fine imposed on the Marquis of Douglas, 18th March 1646. He completely suppressed the civil war in Scotland, and was declared Lieutenant-General of the Forces, and had a pension of £1000 a-month settled on him over and above his pay as colonel of the Perthshire Horse, 29th February 1647. In his capacity of Lieutenant-General of the Forces, he received a letter from the bailies of Aberdeen concerning the troops quartered in the town, and he wrote the following letter to the bailies :—

1637.

1643.

1644.

1645.

1645.

1646.

CHAP. II.

David, First Lord Newark.

"Much honored Friends—I receaued your letter by the bearer concerning the removing of those companyes quartered in your town, and as I am very sensible of the burthen you have susteaned, so shall I be carefull to affoord you all the ease that can be, and sie you duely payed for what entertainment they have receaued since the tenth of March, which wes the day appointed for the rendezvous of the army; and as for the recreuts of Colonell Campbell's regiment, they shall lykewyse furthwith be removed; and what may further satisfy your desyres shall be hartily endeavoured by your louing friend and servant,

"DAVID LESLIE.

1647. "*Lesmoir, 27th March* 1647.

"For his much honored friends the
Baillies of Aberdeen."*

David Leslie refused to serve in the engagement
1648. for the rescue of King Charles I. in 1648, although he received the commission of General of horse for this purpose. In 1650 he was sent against Montrose, whom he took prisoner. When Oliver Cromwell invaded Scotland, David Leslie had the chief conduct of the Scottish army opposed to him. He baffled Cromwell, and hemmed him in in such a manner, that the ruin of the English army seemed inevitable; but the Scotch general

* *Spalding Club Miscellany*, vol. v. p. 378.

was controlled by a committee of church and state, by whom he was compelled to descend from his commanding position, and he was attacked and defeated by Cromwell at Dunbar, 3d September 1650. General Leslie, with the remains of his army, retired to Stirling to secure the passes of the North; and the Parliament had such confidence in his reputation and experience, that it retained him in his command. 1650.

When Charles II. raised an army to march into England, General David Leslie took service under him, and received the appointment of Lieutenant-general; and though success did not attend the royal army at the fatal battle of Worcester, 3d September 1651, yet the King never did believe that the General was false to him. General Leslie was taken prisoner in Yorkshire on his retreat, and was committed to the Tower of London, where he remained till 1660. He was fined £4000 by Cromwell's Act of Grace in 1654. It may be held as a proof of his fidelity to the king, that during his imprisonment he suffered many hardships from Cromwell and the English party, and never received any favour, office, or appointment, till after the Restoration, when the king, immediately on his return, created him a Peer of Scotland, by letters-patent, dated at Whitehall, 10th June, or 31st August 1660, by the title of Lord Newark, to him and the heirs-male of his body, and gave him a pension of £500 a-year. 1651. 1660. 1654. 1660.

CHAP. II.

David, First Lord Newark.

1657.

Lord Newark's enemies endeavoured to impress the king with an opinion to his prejudice; but the king would not listen to them, and wrote to him, 10th June 1657, a letter of which the following is an extract:—

"Although we have upon all occasions, both abroad and since our happy return, declared ourself fully satisfied with your conduct and loyalty in our service, and although, in consideration of the same, we have given you the title and honour of a Lord; yet, seeing we are told that malice and slander do not give over to persecute you, we have thought fit to give you this further testimony, and to declare under our hand, that while you were our Lieutenant-General of our army, you did, both in England and Scotland, behave yourself with as much conduct, resolution, and honesty, as was possible, or could be expected from a person in that trust; and as we told you, so we do again repeat it, that if we had occasion to levy an army fit for ourself to command, we would not fail to give you an employment in it fit for your quality."

On the other hand, his enemies write, "Instead of punishing him for his many repeated disloyalties, the king gave him a large testimony, and nobilitate him with the title of Newark, a fatal error, and pernicious counsel prevailing at that time, whereby the good service of the well-principled Loyalists were disregarded, and the

king's most malicious enemies preferred and rewarded."*

David, First Lord Newark.

David, Lord Newark, bought the lands of Abercrombie and St. Monance in Fife, from Lord Abercrombie, in 1649. He married Jane, daughter of Sir John Yorke, knight, and had issue— 1649.

I. DAVID, his successor.
II. CHARLES, who died young.
III. JAMES, a colonel in the army. He died in the East Indies.
IV. HELEN, died young.
V. ELIZABETH, married to Sir Archibald Kennedy of Cullean.
VI. MARY, married first to Sir Francis Kinloch of Gilmerton, and, secondly, to Sir Alexander Ogilvie of Forglen, and died 24th March 1748. 1748.
VII. MARGARET, married to Colonel James Campbell, fourth son of Archibald, ninth Earl of Argyle, and died 19th April 1755. 1755.
VIII. ANNA, died young.
IX. JANE, also died young.

David, first Lord Newark, died of apoplexy in 1682, and was succeeded by his son David, second Lord Newark. 1682.

DAVID,

SECOND LORD NEWARK.

David, Second Lord Newark.

DAVID, second Lord Newark, had a charter of the barony of Abercrombie, 16th August 1672.† His father had burdened the family estates with large portions to his daughters, and being himself a 1672.

* MS history of the Leslie Family, at Fetternear House.
† *Registrum Magni Sigilli*, lib. lxvii. No. 115.

CHAP. II.

David, Second Lord Newark.

nobleman of expensive habits, David, second Lord Newark, was obliged to sell the barony of Abercrombie to pay his sisters, and he retained only Newark and St. Monance.

David, second Lord Newark, married, 26th May 1670, Elizabeth, daughter of Sir Thomas Stewart of Grandtully, and by her had issue—

1670.

I. A son, who died young.

II. JEAN, who claimed the title as Baroness Newark.

III. MARY, died unmarried.

1675.

IV. ELIZABETH, born 5th October 1675, and died unmarried 8th April 1760.

1760.

V. CHRISTIAN, married to Thomas Graham of Balgowan, died in 1752.

1752.

VI. GRIZEL, married to Thomas Drummond of Logie-Almond.

David, second Lord Newark, died without leaving surviving male issue, 15th May 1694. In Crawford's *Peerage* it is stated that, according to the original patent, the title did extinguish with David, the second lord, it having been granted to the heirs-male of the body of General David Leslie, first Lord Newark. However, on the death of David, second Lord Newark, the title was assumed by his eldest daughter, Jean, Baroness Newark.

1694.

Jean, Third Baroness Newark.

JEAN,

THIRD BARONESS NEWARK.

JEAN, Baroness Newark, married, in 1694, Sir Alexander Anstruther, knight, son and heir of Sir Philip Anstruther of that Ilk, the chief of an

ancient knightly family in Fife, and by him had issue—

Jean, Third Baroness Newark.

I. WILLIAM, who assumed the title as fourth Lord Newark.
II. DAVID, died unmarried.
III. ALEXANDER, who claimed the title as fifth Lord Newark on the death of his brother William.
IV. CHRISTIAN, died unmarried.
V. HELEN, married to John Chalmers of Raderny, minister of Kilconquhar.
VI. JEAN, died unmarried 8th January 1790. 1790.
VII. CATHERINE, died unmarried in 1796. 1796.
VIII. MARGARET, died unmarried.
IX. JOHANNA, died unmarried.

Jean, Baroness Newark, got what remained of her father's estates after paying small portions to her sisters, and failing her and her children, the family estates of Newark were settled on her husband for ever, and her children were not obliged, but during their pleasure, to assume the name of Leslie. She was also heiress to her cousin David, Lord Lindores, who had no issue, and she got a disposition of his estates from him, 18th December 1718. 1718.

Jean, third Baroness Newark, died 21st February 1740, when the title was assumed by her eldest son, William, styled fourth Lord Newark.

William, Fourth Lord Newark.

WILLIAM,

FOURTH LORD NEWARK.

WILLIAM, fourth Lord Newark, assumed the name and arms of Leslie, and marshalled the arms with

CHAP. II.

William, Fourth Lord Newark.

the paternal coat of Anstruther. He frequently voted at the election of representative peers of Scotland without challenge, until 2d January 1771, when the Duke of Buccleuch objected to any list from the person assuming the name of Lord Newark being received, because the original patent of the peerage of Newark, dated 31st August 1661, limited that peerage to the heirs-male of the body of Lieutenant-General David Leslie, and the person assuming the title of Lord Newark was not such heir-male.

1771.

1661.

William, fourth Lord Newark, died unmarried 5th February 1773, when the title was assumed by his next surviving brother, Alexander, styled fifth Lord Newark.

1773.

Alexander, Fifth Lord Newark.

ALEXANDER,

FIFTH LORD NEWARK.

ALEXANDER, fifth Lord Newark, voted as a peer of Scotland at the general election of 1774, without challenge. But at the general election of 1790, the Duke of Buccleuch protested against his vote in the same terms as he had done against the vote of his brother in 1771; and the House of Lords in 1793 found that the votes given by him were not good, consequently the peerage of Newark is now extinct.*

1774.

1771.

1793.

* Douglas's *Peerage*, vol. ii. p. 307.

Alexander, fifth Lord Newark, married Elizabeth, daughter of Captain Prince, and had issue—

I. JOHN, who assumed the title of Lord Newark at his father's death.

II. PHILIP, born 1747, was a merchant in France, and married Lady Frances Manners, daughter of John, Marquis of Granby, and by her had a son, Alexander Manners Leslie, an officer in the army, who died unmarried 17th June 1803, aged 25. 1747. 1803.

III. DAVID ANSTRUTHER of Huntsmore Park in Buckinghamshire, married Miss Donaldson of Allachie in Aberdeenshire, and had issue.

IV. FRANCIS LESLIE, an officer in the East India Company's service, died at Madras, December 1777. 1777.

V. WILLIAM LESLIE, born in June 1759, married, 2d November 1791, Miss Senior, niece of Sir Robert Smith, a general in the Danish service, and Governor of Rendsburg. 1759. 1791.

VI. ELIZABETH, married to Mr. Magnus, merchant in London, and died 20th June 1787, leaving issue. 1787.

VII. JANE, married to John Sanford of Minehead in Somersetshire, and died 8th January 1790, leaving two sons. 1790.

Alexander, fifth Lord Newark, died 10th March 1791, aged eighty years, and the title was assumed by his eldest son John. 1791.

JOHN,

SIXTH LORD NEWARK.

JOHN LESLIE, eldest son of Alexander, fifth Lord Newark, assumed the title of Lord Newark on the death of his father in 1791. But the Duke of Buccleuch having objected to the votes of Alex- 1791.

CHAP. II.

John, Sixth Lord Newark.

ander, styled fifth Lord Newark, given at the general election in 1790, and the claim of Alexander Leslie to the title of Lord Newark being referred to the House of Lords, the House found that the votes given were not good, consequently that the peerage of Newark was extinct. This
1793. finding was pronounced in 1793, and John Leslie had to resign the title which he had assumed for two years.

Riddell makes the following observations on the Newark peerage :—"The claim to the dignity of the barony of Newark by the heir-female was
1771. rejected at an election in 1771. The defect of the right of John Leslie of Anstruther to vote at
1790. the election in 1790 as Lord Newark was rejected
1793. by the House of Lords, 6th June 1793. He was not heir-male of the body in exclusive terms of
1661. the patent of 31st August 1661, but claimed under an alleged re-grant of the latter upon a resignation of General David Leslie, the patentee, in favour of heirs-general, including himself. The re-grant, apparently a fabrication, was found to be untenable, labouring under remarkable flaws and objections—among others, its date on a Sunday.*

* Riddell on *Peerage and Consistorial Law*, vol. ii. p. 779.

APPENDIX.

APPENDIX No. I.

GEORGE, EARL OF ROTHES.

CONTRACT of MARRIAGE betwixt WILLIAM, Earl of Errol, and ELIZABETH LESLIE, daughter of GEORGE, first Earl of Rothes—A.D. 1485. 1485.

THIR indenturis maid at the Abbay of Lundores the fourtein day of the moneth of October the yeir of God a thousand four hundreth aughtie and fyve yeiris betuix nobil and michtie lordis George erle of Rothess and Wilyeam erle of Erol beris witnes that baith the said lordis ar bundyn ilk ane till vthir in lawtie and kyndnes in all thair actiounis caussis and quarrellis leful and honast as wel for thair kine and thair freindis as for thar self. Item the said Wilyeam erle of Erol sal marrie and haff to wiffe Elisabeth the dochter of the said George erle of Rothes and sal complete the said marriage as sone as God provydis a dispensatioune to cum fra the Court of Rome. And gif the said lord Willyeam desyris to compleit the marriage or the dispensatioun cum hame he sal mak sich bandis of security eythir of landis or sowmes of money as the said George erle of Rothes can dewise but inconvenientis and quhat cost that beis maid wpon the dispensatioun bringand ham bath the said lordis sal pay elyke the tane the ta half and the tothyr the tothyr halffe. And for quhylk marriage the said George erle of Rothes sal pay to the said lord Wilyeam erle of Erol the sowm of a thousand merkis monie of Scotland and failand the payment of the samen the said lord George erle of Rothes sal infeft the said lord Wilyeam erle of Erol of fifty merkis worth of land in a competent place lyand within Scotland. The quhilk infeftment sal be maid to the said lord Wilyeam Erle of Erol and to the said Elisabeth and to the ayris to be begottyn betuex tham and failland tharof to the nerest and maste lauchful ayris of the said Wilyeam erle of Erol quhatsumever. And the said Wilyeam sal gif a

APPENDIX I.

reversioun to the said George to renunce the forsaidis landis quhat tyme the said George pays to the said Wilyeam the said soum of a thousand merkis. And the forwrittin soum of a thousand merkis sal be laid on othir landis to the utilitie and profite of the said Elisabeth and to the ayris to be gotten betuix her and the said Wilyeam and no utherways. And for the keping of al the appoyntmentis abufwrittin the said lordis has giffin the faithis of thair bodys the Haly Ewangellis tuichit, befor thir witnessis a venerabil fader in God Androw abbot of Lindores, Laurence lord Olyphant, Robert lord Balgony, George of Clepan of Kerslogy, James Oliphant of Acquhailye, Maister James Fentoun viccar of Tybermure, Gilbert Hay son and appearand ayr to the Laird of Ardendraught, Dauid Strathachqwhyn son and apperant ayr to the Lard of Thorntoun and Schyr George Thomsone parson of Rothes with vtheris dyueris, And for the mair sickering thir indenturis subscrivit witht bath the saide lordis handis.

GEO^R. erle of Rothes.
W^M erle off Erole.

Antiquities of Shires of Aberdeen and Banff, vol. iii. p. 137. From the original in Charter-room at Slaines.

Appendix II.

APPENDIX No. II.

GEORGE, SECOND EARL OF ROTHES.

SERVICE of GEORGE, Earl of Rothes, as heir of Sir ANDREW LESLIE, Knight, his father, in the Lands of Rothynormund, annexed to the Barony of Ballinbreich—A.D. 1509.

1509.

INQUISICIO facta apud burgum de Aberdene decimo septimo die mensis Aprilis Anno Domini millesimo quingentesimo nono coram honorabili viro Alexandro Bannerman de Watertoun vicecomitis deputato de Abirdene in pretorio burgi de Aberdene in curia capitali pro tribunali sedente

per subscriptos videlicet Georgium Meldrum de Fyvie Johannem Gordone de Lungar Johannem Mowat de Loscragy Johannem Forbes de Echt Patricium Steuart de Latheris Andream Tulidef de eodem Henricum Forbes de Kynnellour Alexandrum Mortymer de Cragyver Willelmum Turing de Foverne Thomam Meldrum de Edane Johannem Skene de Ouchterarne Johannem Troup de Comolegy Willelmum Buchane de Auchmacoy Johannem Dunbrek de eodem et Duncanum Strathachin de Glenkindy Qui jurati dicunt quod quondam Andreas Leslie miles pater Georgii comitis de Rothess ac domini de Leslie latoris presencium obiit vltimo . . . sasitus vt de feodo ad pacem et fidem domini nostri Regis de terris de Rothynormund cum suis pertinenciis jacentibus infra dictum vicecomitatum annexis baronie de Balnabregh Et quod dictus Georgius est legittimus et propinquior heres eiusdem quondam Andree patris sui de dictis terris cum pertinenciis Et quod est legittime etatis Et quod dicte terre cum pertinenciis valent nunc per annum viginti libras et valuerunt tempore pacis decem libras Et quod tenentur in capite de domino nostro Rege per seruicium varde et releuii faciendo sectas debitas et consuetas ad placita capitalia dicti vicecomitatus de Abirdene Et dicte terre cum pertinenciis nunc existunt in manibus domini nostri Regis legitime per seipsum per decessum quondam Elizabeth Sinclar relicte quondam dicti Andree militis coniunctam infeodacionem earundem habentis per spacium vnius anni aut eocirca in defectu veri heredis jus suum hocusque minime prosequentis Datum est clausum sub sigillo officii dicti vicecomitis deputati ac sigillis quorundam eorum qui huic inquisicioni intererant faciende anno die mense et loco prenotatis.

Antiquities of Shires of Aberdeen and Banff, vol. iii. p. 553. From the *Libri Actorum Curiae Vicecomitatus de Aberdeen*, vol. i. MS.

Appendix III.

APPENDIX No. III.

WILLIAM, THIRD EARL OF ROTHES.

VILYAM LESLY broder to the ERLL of ROTHUSIS Band of Manrent to ERROLL, III June MCCCCXC.

1490.

BE it kend tille alle menne be thir present lettris me Wilyeame of Leslie brothir germane to George Erlle of Rothess to be bundin and oblist / and be the tenour of this my writ and the fatht of my body / to be leill trew man and seruand to my Lord Wilyeame Erll of Erroll Lord Hay and Constable of Scotland And that I sall heill his consaill and gif hime the best consail I cane gif ony he askis and neuer her se nor wit his skaith / or perell till his persone or herytage / bot I sall warne him thairof and lat it at my power, with all othir poyntis contenyt in the band of manrent / except my allegiange till our Souerane Lord the King, And this my lettre of manrent to indur for the termes of twa yeris / In witnessing hereof becawss I had no seill present of my awyne I haf subscriwit this writ with my awne hand At Slanys the third day of June the yeir of God j^{m}iiij^{c} and nyntie yeris Befor thir witnes Wilyeame the Hay lard of Ardendracht / Gilbert the Hay sone and apperand ayr to the said Wilyeame / George Abircromy / Maistir Dauid the Hay / and George of Leslie / with othirs diuerss.

WILYAM LESLY brothir
german to the Erl off Rothes
manew propria.

Erroll Papers; Spalding Club Miscellany, vol. ii. p. 259.

APPENDIX No. IV.

GEORGE, FOURTH EARL OF ROTHES.

CHARTER by King JAMES V. to George, Earl of Rothes, Lord Leslie, and to the King's Kinswoman, MARGARET CRICHTON, the Earl's affianced wife by promise of marriage cum carnali copula inde secuta, of the Lands, Castle, and Barony of Ballinbreich, the Lands and Barony of Tacis, the Lands of Kennoquhy, etc., in Fife; the Lands and Barony of Cairny, with the Advowson of the Church of St. Modoc, in the Sheriffdom of Perth; the Lands and Barony of Fethus in Angus; the Lands and Barony of Balmane and Wodfield in the Mearns; the Lands and Barony of Cushney and Fowlis Mowat, with the Mills, etc., and the Advowson of the Church of Cushney, in the Sheriffdom of Aberdeen; the Lands and Barony of Rothes, with the Castle, the Fishings in the Spey, and the Advowson of the Church of Rothes, and of the Chaplainry within the Castle of Rothes, in the Sheriffdom of Elgin; the Lands and Barony of Rothynorman, with the Mills, etc., in the Sheriffdom of Aberdeen, etc.—A.D. 1517. 1517.

JACOBUS Dei gracia Rex Scotorum . . . sciatis nos cum . . . consensu consanguinei et tutoris nostri Johannis Ducis Albanie etc. regni nostri protectoris et gubernatoris dedisse concessisse et hac presenti carta nostra confirmasse dilecto consanguineo nostro Georgio Lesley Comiti de Rothes domino Lesly et consanguinee nostre Margarete Creichtoun sponse sue affidate per verba de futuro cum carnali copula inde secuta et ipsorum alteri diucius viuenti in conjuncta infeodacione et heredibus suis subscriptis omnes et singulas terras de Halltacis Hilltacis molendinum de Tacis cum pertinenciis terras de Ballinderane terras de Hechame terras de Logy terras dominicales videlicet *le Manys* de Ballin-

APPENDIX IV.

breich cum pertinenciis molendinum de Ballinbreich cum terris eiusdem quartam partem terrarum dominicalium de Leslie nuncupatam *le Estir Quartir* quartam partem terrarum de Ballingall cum pertinentiis Quequidem terre . . . fuerunt quondam Georgii Comitis de Rothes hereditarie per ipsum tente in capite de quondam carissimo patre nostro bone memorie cuius anime propicietur Deus et defectu bonorum mobilium dicti quondam Georgii appreciate fuerunt per vicecomitem nostrum de Fiffe . . . pro summa mille sexaginta quinque librarum sex solidorum et octo denariorum vsualis monete regni nostri . . . Et postea per eundem quondam carissimum patrem nostrum . . . quondam Andree Bertoune in vitali redditu et Alexandro Bertoune filio suo pro dicta summa in feodo et hereditate vendite fuerunt . . . et pro quarumquidem terrarum . . . suprascriptarum redemptione de manibus dicti Alexandri Bertoune dicta Margareta Creichtoun eidem Alexandro et Roberto Bertoune Curatori suo dictam summam persoluebat unacum ducentis marcis vltra eandem Tenendas igitur et habendas . . . dicto Georgio Comiti de Rothes et Margaretè Creichtoun eius sponse et ipsorum alteri diucius viuenti in coniuncta infeodacione et heredibus masculis inter ipsos legitime procreatis seu procreandis matrimonio inter ipsos solemnizato et stante legitimo vel per dispensationem si opus fuerit legitimato Et deficientibus heredibus masculis inter ipsos legitime procreatis seu procreandis tunc eo casu dicte Margarete heredibus suis et assignatis prout ipsa instituere voluerit . . . quousque dicta summa prefate Margarete . . . persoluta fuerit Et postea dicto Georgio Comiti de Rothes et heredibus suis libere reversuras Dedimus eciam . . . hereditarie dicto consanguineo nostro Georgio Lesley Comiti de Rothes domino Leslie filio quondam Willelmi Leslie necnon heredi dicti quondam Georgii Comitis de Rothes patrui sui omnes et singulas terras et baronias subscriptas videlicet terras baroniam et castrum de Ballinbreich cum molendinis piscariis siluis parcis videlicet *le parkis* tenentibus tenandriis liberetenencium seruiciis aduocationibus donationibus jure patronatus ecclesie de Flisk prebende de Abirnethy nuncupate

Forevinschip et Capellanie de Glenduky et suis pertinentiis Terras et baroniam de Tacis cum molendino annexis tenentibus tenandriis ac liberetenencium seruiciis earundem et suis pertinenciis Terras de Kennoquhy Drumnard Ochtermuny Lalethin Awdy et Kynmux cum quadraginta solidis annui redditus terrarum de Kennoquhy et quinque marcis annui redditus terrarum de Estir Lathrisk nuncupatarum *le riggis* cum pertinenciis jacentes infra vicecomitatum nostrum de Fiffe Terras et baroniam de Carny cum molendino earundem et suis pertinenciis cum aduocacione et donacione ecclesie Sancti Modoci jacentes infra vicecomitatum nostrum de Perthe Terras et baroniam de Fethus cum pertinentiis jacentes infra vicecomitatum de Forfare Terras et baroniam de Balmane et Wodfeild cum molendinis annexis tenentibus tenandriis liberetenencium seruiciis earundem et suis pertinentiis jacentes infra vicecomitatum nostrum de Kincardin Terras et baroniam de Quisny et Fowlis Mowete cum molendinis annexis tenentibus tenandriis liberetenencium seruiciis earundem et suis pertinentiis et devoriis inde debitis et consuetis cum jure patronatus aduacatione et donacione ecclesie de Quisny jacentes infra vicecomitatum nostrum de Abirdene Terras et baroniam de Rothes cum castro molendinis piscacionibus super aqua de Spey tenentibus tenandriis liberetenentium seruiciis siluis liberis forestis dependenciis et *le outsettis* earundem et suis pertinenciis cum jure patronatus aduocatione et donatione ecclesie de Rothes et Capellanie infra Castrum de Rothes jacentes infra vicecomitatum nostrum de Elgin Terras et baroniam de Rothynormay cum molendinis tenentibus tenandriis ac libere tenencium seruiciis earundem et suis pertinentiis jacentes infra vicecomitatum nostrum de Abirdene Terras de Kildochis cum pertinentiis jacentes infra vicecomitatum nostrum de Inuernes Ac tertiam partem terrarum et baronie de Dunlopy cum pertinentiis jacentem infra vicecomitatum de Forfare Quequidem terre et baronie . . . exceptis premoratis terris per prefatam consanguineam nostram Margaretam Creichtoun vt premittitur redemptis fuerunt dicti quondam Georgii Comitis de Rothes hereditarie Et

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pro alienatione maioris partis ipsarum in manibus prefati quondam carissimi patris nostri recognite fuerunt . . . Et quas omnes et singulas suprascriptas terras baronias et annuos redditus . . . nos sequentes primam mentem prefati quondam carissimi patris nostri iuxta seriem sue signature creamus . . . in vnam liberam baroniam nuncupandam Baroniam de Ballinbreich pro perpetuo in futurum . . . Insuper nos pro gratuito et fideli seruicio per prefatum quondam consanguineum nostrum Geòrgium Comitem de Rothes et Willelmum Lesley qui obiit cum dicto quondam carissimo patre nostro sub vexillo suo in campo bellico commisso apud Brankistoune in Northumbria et prefatum consanguineum nostrum Georgium modernum Comitem de Rothes dicto quondam carissimo patri nostro et nobis impenso et impendendo damus eidem Georgio moderno Comiti de Rothes et heredibus suis hereditarie totum et integrum jus et clameum . . . que . . . habere poterimus in vel ad supradictas terras et baronias . . . ratione recognitionis alienacionis forisfacture eschaete nonintroitus heredum aut alias quouismodo . . . Tenendas et habendas . . . dicto consanguineo nostro Georgio Comiti de Rothes et heredibus suis masculis arma et cognomen de Lesley portantibus et gerentibus in tallia Quibus omnibus deficientibus legitimis et propinquioribus heredibus suis quibuscunque de nobis et successoribus nostris Scotorum Regibus in feodo hereditate ac libera baronia imperpetuum . . . Reddendo inde annuatim . . . tres sectas ad tria placita capitalia curie vicecomitatus nostri de Fiffe cum wardis releuiis et maritagiis cum contigerint tantum Prouiso quod inhabitantes terras et partes dicte baronie extra vicecomitatum, nostrum de Fiffe compareant in itineribus nostre justiciarie vicecomitatum nostrorum vbi indicati fuerunt et vbi dicti terre jacent . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud Edinburgh primo die mensis Aprilis Anno Domini millesimo quingentesimo decimo septimo . Et regni nostri quarto.

Antiquities of Shires of Aberdeen and Banff, vol. iv. p. 319 From the *Registrum Magni Sigilli*, lib. xxii. No. 195.

APPENDIX No. V.

Appendix V.

GEORGE, FOURTH EARL OF ROTHES.

DECREET-ARBITRAL, pronounced by Queen MARY in 1564, upon the respective claims of ANDREW, Earl of Rothes, and WILLIAM LESLIE, his eldest lawful Brother, to the Earldom of Rothes; with OBSERVATIONS upon that event, and the State of the Succession in the House of Rothes, before and after the middle of the Sixteenth Century. 1564.

MARCH 17th, 1566, "In presens of the Lordis of Counsale, comperit Maister Thomas Bannatyne, procurator speciallie constitut for ane noble and mighty Lord Andrew erle of Rothes, Lord Leslie &c. be thir his speciall lettres of procuratorie under-written, seillit, and subscryvit with his hand on that ane part; and William Leslie Broder lauchfull to the said erle, on that uther pairt, personalie, for himself, and gaif in yis decreet arbitrall following subscryvit be oure soverane ladie, and gifin be hir hienes, and siclyk subscrivit with yair handis, and desyrit the samin to be insert and registrat in youre buikes, to have the strenth, force, and effect of ane Act, and decreet of the Lordis," &c. (which is allowed accordingly, and then follows the decreet-arbitral, in these terms):—

"Apud Edinburghe, decimo quinto Januarii, Anno Domini millessimo V^c^ sexagesimo quarto. The quhilk day the Quenis Maiestie quhatat the earnest applicatioune, and desyre of Androw, now erle of Rothes, on ye ane pairt, and William Leslie his brother, on the uthair pairte, acceptand in, and upoun hir hienes, all actioune, claime, questioune, interess, and debait yat ather of the saidis pairteis had, or micht clame, or pretend to haif aganis utheris, anent the title of richt and clame quhilkis ather of yame hais, or may move, and persew in, and to the erledom of Rothes, howsses,

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landis, offices, rowmes, and possessionis thereof, to be decided be hir hienes, the same, and decisioune thereof being of befoir submitted to hir Maiestie be baith the saidis pairties, as the act of Counsale made yerupoune subscrivit with baith yer handis, of the date xx day of July, last bipast, at mair length proportis: being of mynd and will, that the house of Rothes be manteyned in sic honourable estate, as the samin hais bene in tymes bigane, and alswa that the perpetuall amitie, and kyndnes may stand, and remane betwix the saidis pairteis, without ony grudge, or suspicioune, in ony tymes cuming, having heard the matter diverse tymes reasoned in hir maiesties presence, the rychtis, reasoneis, and allegeances of baith the saidis pairteis, being hard, and considderit, and therewith being ryplie aviseid, with consent of baith the saidis pairteis, *Decernis, decretis,* and *deliveris,* that the said Andro erle of Rothes saill brouk, and joise the haill erldome of Rothes, with houses, fortilices, landis, rowmes, and possessiones of the same siclyke, as umquhile George Erle of Rothes, Fader (*i.e.* of the parties), possessit the samin in his tyme, heretablie, according to his infefmentis obtenit be him yairupon, and that, but ony stop, or impediment to be made, or done to him, be ye said William in tyme cuming, and the said William renunces lykas he be the tennor heirof renunces all rycht, titill of rycht, clame, propertie, possessioune, and kyndnes quhatsumever he hes, had, or ony wayis may be fundin to have ony tyme bygane, and to cum, to his said erldome, landis, rowmes, possessiones yairof, or ony pairt of the samen, be quhatsumevir title, or rychts pertening to him, or that he may ony wayes lauchfullie pretend yairto, be deceise of his fader, mother, broder (*i.e.* George, fourth Earl of Rothes, Margaret Crichton, and Norman, Master of Rothes), or as air to yame, or ony of yame; or any uther persone quhatsumevir, be gift, dispositioune, or uther provisioune quhatsumevir, in favouris of the said Andro his brother, sua that he, and his airis, may peceablie browk, and joise the same in tyme cuming but stop, or impediment of the said William, his airis and assignais, or ony uthairs in his, or yair names, or

be his, or yair right maid, or to be maid to upoun uthair yairupon, Provyding alwayis, that gif the said Andro happinis to deceis but airis maill gotten of his body, or in caise of deceis of yame, the said haill erldome to return to the said William sic lyke as he had never renunced, nor overgewin his rycht, and kyndnes thair: and alsua ordaynes the said William to deliver to the said erle, his factouris, and servitouris in his name, the housses of Rothes presentlie bruked by the said Williame, within xx dayis nixt after the date heirof; and siclyk ordeynes the said Williame to discharge, lyk as he, be thir presentis, dischairgis, the said Andro erle of Rothes his airis, executoris, and assignais, of all airschip gudis or utheris gudis quhatsumevir, quhilkis he may acclame be the deceis of the said umquhile George erle of Rothes; for the quhilk causes hir maiestie, and hienes decernis, and ordeynes the said Andro erle of Rothes, to infeft the said William and his airis maill lauchfullie to be gottin of his bodie, quhilkis failzeing to returne again to the said erle, his airis and successouris heretablie in all, and haill his landis of Cairny, with the pertinentis, lyand in the Kerse of Gowry, baronie of Ballinbrech, and schereffdome of Perth, to be haldin in fre blench firme, to the said Andro erle of Rothes, his airis, and successouris, barrones of Ballinbreich, and sall warrand the saidis landis to be worth of yeirlie proffeit the sowme of tua hundret merkis money of this realme, and sall mak the same fre of all wadsettis, and takis, except the tackis quhilkis the tennentis haif yairof presentlie betuix this, and the feist of Whitsonday nixt to cum efter the dait heirof; and gif it happin the said William to haif na airis maill, bot femalle, in yat caise the said Andro erle of Rothes, and his airis, sall provyd the said airis femall of competent mariageis, according to yair estate, Alsua ordeynes the said Andro erle of Rothes to infeft the said Williame in lyfrent for all the dayis of his lif, in als meikle of the landis of Ballinbreich with the pertinentis, as will gif be yeir the sowme of fyive hundred merkis money foirsaid, and the said William to sett the samin landis agane to the said erle, and his, during the lyftyme of the said

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Williame, for zeirlie payment to him of the said sowme of fyive hundred merkis, at tua termes in the zeir, Whitsonday, and Mertymes in winter, be equall portiones, the said erle finding sufficient cautioune for yeirlie payment therof acted in the buikis of Counsale; and alsua ordanis the said Andro erle of Rothes to discharge, as he be thir presentis dischargis the said Williame, his airis, executoris, and assignais, of all males, fermes, proffeittis, and dewiteis of the landis, and baronie of Rothes, or any pairte yairof, intrometted with, and uplifteit be the said William, or ony utheris in his name in ony tyme bigane, praeceiding the dait heirof; alsua ordeynes the said erle to cause big on his expenses, ane sufficient duelling howse to the said William upoune the foirsaidis lands of Carny, effeiring for sic ane gentil manes ease, and duelling, and to pay the males of ane ludgeing in Sanct Johnnestoune, or Dunde sufficient and competent for the said William, aye and quhile the housse foirsaid be sufficiently biggit, as said is; and ordeynes the said William to be interdicted, and be thir presentis interdictis himself fra all alienatioune of the foirsaidis landis of Cairny, and lettres of publicatioune to pas yairupoun in forme as effeiris, and the said William to deliver the said erle of Rothes the lettres of regress, and all utheris evidentis quhilkis he hes in his handis concerning the said erldom of Rothes, and landis thairof, and ordanis ather of the saidis pairteis to discharge, and be thir presentis dischargis ather of thame, uthairis, of all actioune, contraversie, and clame quhilkis ather of yame had, haif, or onywise may haif, move, or persew, contrar uther, for quhatsumever cause, actioune, or occasioune bygane, preceiding the date heirof; and baith the saidis pairteis to stand, and remain in amitie, reverence, and brotherlie lufe, ather of yame to utheris, as apperteynes amangest brethrene, in all tyme cuming, And this hir Maiesties decret, and deliverance, to all and sindrie quhome it effeires, makis notified, and knawin; and baith the saidis pairteis are content, and consentis, that the samin be insert, and registrat in the bukis of hir graces counsale, to haif the strenth of ane de-

creet of the lordis yairof, with executoriallis to follow thairon in forme as effeiris. In witness heirof, her Majestie, and alsua baith the saidis pairteis, in token of their consent, hais subscrived this decret with yair handis, day, yeir, and place forsaidis. Sic subscribitur Marie R. Andro erle of Rothes, wyt my hand, William Leslie wyt my hand."

Then follows a procuratory by Andrew, Earl of Rothes, for registering the above decreet-arbitral, which is only so far remarkable, that he therein styles William "our eldest bruder."

The explanation of this singular transaction will be best understood by glancing at the previous situation and circumstances of the Rothes family, which have already attracted the notice and remarks of antiquarians, although they have not proceeded upon just grounds.

George, Earl of Rothes, father of the parties, was contracted before the 1st of April 1517 to Margaret Crichton (whose strange and unhappy condition will be afterwards shown), "per verba de futuro, cum carnali copula," as appears by a charter in their favour, of that date, of the Rothes estate, containing also a substitution to them and their heirs, "matrimonio inter ipsos solempnizato, et stante legitimo; vel per dispensationem, si opus fuerit, legitimato." *See* App. No. IV.

There was hence a legal objection to their marriage, but it has afterwards been removed, probably by dispensation, and the earl certainly had by her the well-known Norman, Master of Rothes, the murderer of Cardinal Beaton, who was put into the fee of the earldom. They also evidently had William, their second son, mentioned in the above decreet-arbitral, who has been entirely overlooked by the peerage writers. Subsequently it is stated, when Earl George was upon an embassy, that Margaret had an intrigue with Panter, Bishop of Ross, by whom "she had a bairn," owing to which she was divorced. This may have given rise to a proceeding not uncommon in these days. If the earl had divorced Margaret for the adultery, there would only then have been a divorce *a mensa et thoro*,

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but not *a vinculo matrimonii*, and therefore it was better to resort to some other plea that would entirely void the marriage. Accordingly, it was set aside by means of a pretext that was seldom wanting in these dissolute times—that Earl George, previous to his marriage, had illicit intercourse with Matilda Striveling, who was in the second and third degree of consanguinity to the countess, and hence in the same degree of affinity to the earl—in this manner making their alliance incestuous and illegal according to existing law; and whatever may have been the state of the facts, sentence was pronounced to this effect by the
1520. Ordinary, the Rector of Flisk, on the 27th December 1520. Availing himself of his liberty, the earl, after having been the husband of Elizabeth Gray, Countess of Huntly, for
1525. some time subsequent to 1525, married Agnes Somerville, by whom he had Andrew, the other party in the decreet-arbitral; but Margaret Crichton, it is to be presumed, had not acquiesced in the judgment of the Ordinary, but had appealed to a higher tribunal, for she is thereafter mentioned in such a manner as to render it extremely doubtful whether she was the wife of the earl or not. At length, however, in all probability, the sentence of divorce being reduced, owing to certain reasons, upon appeal, Margaret was restored to her former situation as his lawful wife, in
1541. which character she undoubtedly figures in the years 1541
1542-6. and 1542. In 1546 at least the earl had formed a new matrimonial alliance; for there is an action in that year against "dame mergret lundy, relict of umquhil David erle of Craufurde—and George Erle of Rothes now her spouse."

The earl had only issue by Margaret Crichton and Agnes Somerville. Those by the former were clearly lawful; nor can the children of Agnes be supposed to be in a worse predicament, because the principle of *bona fides*—that is, the ignorance of Agnes, if not of her husband, that their marriage, however legally null, was so—had the effect by our law of making the children legitimate;—which, it is strange to think, has actually been questioned in modern times. . . . . .

APPENDIX V.

An unfortunate event, well known in history—the murder of Cardinal Beaton in the castle of St. Andrews by Norman, Master of Rothes, eldest son of Earl George, in 1546—led to his forfeiture and expulsion from his country; and William, his full brother, it seems, had been implicated in the same affair, for which, in 1548, he obtained a remission from the Crown. Earl George, although he had put Norman into the fee of the earldom, had only done so conditionally, reserving a power of redemption; and therefore passing over William, for some reason or other not perfectly clear—perhaps owing to his concern also in the cardinal's affair—if not on account of his being the son of Margaret Crichton, he assigned the reversionary right to Andrew, his eldest son by Agnes Somerville; who, having used it against the Crown as coming into Norman's shoes, ultimately perfected his title to the earldom, which, indeed, had been further secured to him by his father during his lifetime.

In this manner Andrew, by a singular title—although not the heir-at-law—came to be vested in the succession, which gave him a preferable right to William, and the assignation in his favour has evidently been the chief ground upon which the decreet-arbitral proceeded. Still, however, as in the investiture in the person of Norman (who died without issue in 1554), there was a substitution 1554.
to heirs-male whatsoever, and as other circumstances might have operated, although now unknown—independently of fair and equitable motives—William had a plea that it may be fairly presumed could not be overlooked; and therefore he obtained, by the just and equitable award of the queen, the lands of Cairney in the rich Carse of Gowry, in compensation for his birthright.

But another circumstance must also here strike every one—what then becomes of the claim of the Leslies of Findrassie, who have maintained that they were the preferable heirs of the family as descended from a son of the earl's first marriage with Margaret Crichton? If so, it is singular—not adverting to their exclusion by Earl George—

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that they are not alluded to in any part of these transactions, nor ever obtained, as far as is yet known, any provision or compensation from Earl Andrew, than whom, if at all sprung as is thus stated, they were assuredly nearer heirs at common law. On the contrary, while even William's daughters are to be provided for, the lands of Cairney, granted to this individual, failing heirs-male of his body, are not to go to Robert, ancestor of Findrassie, but immediately to Andrew, his half-blood brother. This is a point involved in some degree of doubt and mystery. One might think, from a legitimation upon record in 1557, of a Robert Leslie, son of Earl George, whose Christian name corresponds with that ancestor's, and from a possible theory owing to the latter being designed "*brother*" of David Panter, Bishop of Ross at the same time, when obtaining grants from him, that his *status* was questionable; but, in answer to this, it may be urged, that in a pedigree of the Rothes family, once in the possession of Camden (and left by him to Sir Robert Cotton), he is distinctly made third son, after Norman and William, of George, Earl of Rothes, by Margaret Crichton, which seems to afford a pretty good conclusion to the contrary—especially as Earl Andrew and the children of the second marriage are merely subsequently introduced. The Leslies of Findrassie, however, could only be descended from the third and youngest son; and in the worst point of view, his status, owing to the hereditary frailty (as will be seen) of his mother, might have been a little like that of the late claimant of the Banbury peerage; and it is rather remarkable that he was principally, if not exclusively, provided by Bishop Panter, who left him very large estates, besides appointing him his executor. But, after all, this is chiefly speculation. Bishop Keith conceives that Margaret Crichton, in addition to her other alliances, was wife of David Panter, to whom she had the bishop; the inference he obviously derives from the relationship specified between the bishop and Robert Leslie, for he alludes to no other authority; but it is utterly impossible, because it can be proved by undoubted evidence that the

1557.

bishop was the illegitimate son of Patrick Panter, Abbot of Cambuskenneth, the Royal Secretary, and the celebrated writer of the early *Epistolae Regum Scotorum*. As to another assertion of Keith, that Margaret was "*first*" Countess of Rothes, and "*afterwards*" married to a Panter, by whom she had the bishop, it is certainly one of the most preposterous in the world, as is evident from what has been stated, and the relative situation of the parties—Margaret being still Countess of Rothes in 1542, and the bishop even figuring (as is proved by his legitimation) in 1513. The only remaining alternative then is, that this dignitary of the church was the issue of Margaret Crichton by an illicit intercourse with Abbot Patrick, the Royal Secretary—thus explaining matters satisfactorily for others, at the sacrifice of her own honour and reputation; but it may not seem perfectly reconcilable to the circumstances of the case, or to the age or standing of the secretary, he having held that office under James IV., besides being tutor to his son, who fell at Flodden; and having died abroad, after a protracted illness of two years, in 1519. In short, it is not very easy to penetrate through the veil that obscures this portion of antiquity, and it may be better to leave its solution to the wisdom and penetration of the reader.

1542.

1513.

1519.

Should it really turn out that there was any such intercourse between the lady and the secretary or preceptor—he, perhaps, acting the part of another Abelard—it will be a curious coincidence, after what will be immediately shown.

One or two observations more may be added with respect to Margaret Crichton. Every account concurs in stating that she was the daughter of William, Lord Crichton, forfeited in 1483, by Margaret, youngest sister of James IV., which is corroborated by her being styled "*consanguinee nostre*" (*i.e.* of James V.), in a royal charter in 1517, in favour of herself, and George, Earl of Rothes, formerly quoted. Buchanan, her contemporary, informs us that Crichton, resenting an intrigue of James III. with his

1483.

1517.

APPENDIX V.

wife, whom he dearly loved, seduced the princess—a person, although young and beautiful, of depraved character, being even charged with too much familiarity with her own brother—by whom he had the same Margaret Crichton, who, the historian adds, died not very long previous to the period when he wrote. The impression has long prevailed that there never was any marriage between Crichton and the princess—certainly, if we are to believe Buchanan, the most dissolute of women—and it is far from being unlikely, considering the silence and oblivion to which she is consigned—her name being even unknown to some writers—and the very low alliances which her unfortunate daughter was originally doomed to make. She appears first in
1505. 1505, in the humble capacity of the wife of William Todrick, burgess of Edinburgh, to whom she is then proved to have been contracted in marriage under the description of "Mergaretam Crechton consanguineam domini Regis." Still moving in such society, she next aspires to another burgess of the same city, called George Halkerston, and it was not until after his death, as Halkerston's widow, that George, Earl of Rothes, deigned to notice her with his attentions. It could not have been from political motives that the granddaughter of a king was thus "meanly married," as, even supposing her legitimate, there were several previous heirs to the Crown; so nothing can well explain the low condition in life of the offspring, excepting her own illegitimacy and the abject and degraded situation of the mother.

Remarks upon Scotch Peerage Law, by John Riddell, Esq., advocate, pp. 178-195.

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Appendix VI.

PATRICK, SECOND LORD LINDORES.

CHARTER of FEU-FERME by King JAMES VI. to PATRICK LESLIE, son of PATRICK, Commendator of Lindores, of the possessions of the Abbey of Lindores, enumerated by name and rental, and erected into the Temporal Lordship and Barony of Lindores, with the Title, Honour, Order, and State of a Lord of Parliament, by the style of Lord Lindores, to the said Patrick Leslie and his heirs-male—A.D. 1600. 1600.

JACOBUS Dei Gratia Rex Scotorum . . . Sciatis nos . . . pro bono fideli et gratuito seruicio per nostrum domesticum seruitorem Patricium Commendatarium de Lundoiris et per fidelissimum et predilectum nostrum consanguineum et consiliarium Andream de Rothes comitem dominum Leslie, etc. eorumque familias et amicos nobis nostrisque predecessoribus impenso (ex dictorum Patricii et Andree de Rothes comitis largis et exorbitantibus sumptibus et expensis) . . . dedisse . . . dilecto nostro Patricio Leslie filio dicti Patricii heredibusque suis masculis quibuscunque eorumque assignatis hereditarie Totam et integram maneriem de Lundoris ab antiquo vocatam monasterium et Abbacie Locum de Lundoris cum omnibus . . . domibus mansionibus edificiis et hortis eiusdem provt jacent et infra clausuram et dicte Abbacie precinctum situantur cum omnibus columbariis veridariis hortis sepibus officiorum domibus mansionibus . . . et iustis pertinentiis . . . necnon dedisse . . . et in feudifirmam . . . perpetuam dimississe . . . predicto Patricio Leslie heredibusque suis masculis suprascriptis eorumque assignitis quibuscunque hereditarie omnes . . . terras et baroniam de Grange de Lundoris villas de Grange Berriehill Ormstoune Haltounhill Lumquhat Cluney Wodheid Southewood et Eistwood brasinam de Grange Clayis prata *lie*

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Hauchis Hillok Saltgers horreum et eiusdem hortos *bowbuttis* et Reidis Brodlandis Westwode cum cunicularíis manerium locis . . . piscationem super Aquam de Tay et libertatem cymbe vulgo *ane ferrie boit* Saltinsche Reidinsche Knowinsche Saltgirs Reidhillok Park Litilhillok Inchis pomeria de Lundoris parvum pratum vocatum *kingis medow* jacentem ab infimo de Parkhill ab occidente ad orientem burgum et villam de Newburghe domos tenementa hortos toftas croftas Dukcroft ac acras feudifirme firmas annuos reddítus et eiusdem deuorias Durrieland de Creichie toftam de Cowessie toftam de Auld Lundoris toftam de Killoche toftam et brasinam de Auchtermuchtie . . . Craigend Craigmyle cum arridis multuris de Kynnaird *lie segis* et croftis eiusdem Kigishoill Maryscroft Cairtwaird Woodroof Thriepland cum Monthe et Monasteri Oliurycruik cum tribus acris sub silua Terras ecclesiasticas de Ebdie Monkismos jacentem in Edinsmure cum . . . *lie Newland Vnland* . . . quinque tenementa terre infra ciuitatem nostram de Sanctandrois . . . magnum edificium ante et retro tenementum et hortum in villa de Falkland . . . annuum reddítum quinquaginta trium solidorum quatuor denariorum de terris de Denmylne . . . octo solidorum de burgo Cupri in Fyiff . . . quinque solidorum et decem denariorum de Carraile . . . jacentia infra regalitatem de Lundoris et vicecomitatum de Fyiff Terras et baroniam de Feddellis Wester Feddellis Eister Feddellis molendinum de Feddellis Berry et Cuthkin Eklismagirgill cum molendino eiusdem maneriei loco hortis pomeriis columbariis . . . magnum edificium in burgo nostro de Perth . . . Tenementum in Wattirgaitt . . . Aliud tenementum in Wattirgaitt . . . Annuum reddítum quadraginta solidorum de domo Roberti Blaikwood in Perthe . . . quatuordecem solidorum de domo magistri Georgii Ruthven in Perthe . . . tredecem solidorum et quatuor denariorum de domo Johannis Rind in Perthe . . . quinque solidorum de domo Patricii Grant in Perthe . . . viginti sex solidorum et octo denariorum de terris de Pitfouri . . . septem solidorum de terris Jacobi Gild in Perthe . . . quatuor solidorum et quatuor denariorum de terris Joannis Drummond et

Patricii Inglis in fine de Meilvennell . . . tredecim solidorum et quatuor denariorum de terris Roberti Cok pistoris . . . tredecim solidorum et quatuor denariorum de terris Dauidis Johnestoun jacentibus in Castell Gavill . . . trium librarum sex solidorum et quatuor denariorum de Erlisdyikis . . . tredecem solidorum et quatuor denariorum de terris Andree Trumpet . . . triginta solidorum de terris Oliueri Makesoune . . . octo decem solidorum de terris Gulielmi Lamb extra portam de Castellgavall . . . in dicto burgo de Perth infra dictam regalitatem et vicecomitatum nostrum de Perthe . . . Omnes terras de Balmaw Newtyle Hilend Hiltoune et Mylnetoune de Craigie Claypottis Ferrietoune cum albis et rubris piscationibus super aquam de Taye . . . terras de Ardoche terras ecclesiasticas de Dunde vel croftam terre vocatam *Vicaris Land* Abbatis horreum polentorum et hortum eiusdem in Dundie tenementum terre in Dundie in vico eiusdem vocato *Abbotiswynd* . . . aliud tenementum in dicto vico . . . peciam terre in dicto vico . . . botham altaris Sancte Margarete in Dundie . . . tenementum et terram cum omnibus bothis et pertinentiis eiusdem capellanarie Sancte Margarete altaris . . . aliud tenementum terre in Dundie . . . ab antiquo vocatum *le Vicaris Tenement* . . . annuum redditum trium librarum sex solidorum et octo denariorum de terris de Inuerraritie . . . infra regalitatem eiusdem et vicecomitatum nostrum de Forfar Omnes . . . terras de Halwistounis Halend Fischerhill Litill Witstounes Nether Witstounes Pittareis Pittargus Pittamone cum molendino astrictis multuris et brasina eiusdem Miltoune de Witstounes brasina de Witstounes Terras de Marcharie Scottistoune et terras officiarias cum rubris et albis piscationibus super mare et borealem aquam de Esk . . . annuum redditum de Bervie octo solidorum . . . jacentes in regalitate eiusdem infra vicecomitatum de Kincardin omnes et singulas terras et baroniam de Wranghame terras de Craigtoune Kirkhill Mostoune Chrystiskirk Molendinum de Leslie terras ecclesiasticas de Auldleslie terras de Largie Newtoune Wranghame cum molendino et warda eiusdem Kirktoune de Culsalmount Pilquhyit Ledinghame et Williamstoun

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cum molendino et brasina eiusdem Malingsyid Flendiris Logydornocht cum brasina eiusdem Etherlik Kirktoune de Insche cum molendino et brasina eiusdem Kirktoune de Premna Tullymorgoune cum toftis croftis *lie outsettis* custumis seruitiis et singulis eorundem pertinentiis Terras ecclesiasticas de Kynnathmount Chrystiskirk Premna Insche Culsalmount Logydornocht Terras capellanarias de Garioche Terras et baroniam de Fintrie Haltoune Fintrie cum maneriei loco hortis pomeriis silva vocata Garvok et singulis suis pertinentiis Terras de Logyfintrie Fosterissait Wester Fintrie Langcruik Miltoune de Fintrie cum molendino terris molendinariis eiusdem Balbethin cum piscatione in Done Haddirweik Craigforthie Badiforie cum piscatione eiusdem in Done Monkegie et Westbynnes Kilmukis Tullycherie Westirdisblair Ester Disblair Cavillismilne Middil Disblair Smedyhous cum toftis croftis hortis et Smydiecroft Ailhouscroft cum prato vocato Insche Derocroft brasinam de West Fintrie brasinam de Haltoune Fintrie toftam et croftam de Kilmukis salmonum piscationem super aquam de Done Domum cum hortulo et cymbe piscatione apud Futtey annuos redditus de Balhagartie octo mercas . . . de Kellie decem mercas . . . de Inuerrurie viginti sex solidos et octo denarios Terras ecclesiasticas de Fintrie Inuerrurie et Monkegie que ad dictam Abbaciam de Lundoris perprius pertinuerunt jacentes in regalitate eiusdem infra vicecomitatum de Abirdene . . . totum et integrum burgum baronie seu regalitatis et villam de Newburgh . . . cum potestate . . . tenendi liberum forum . . . hebdomatim die Sabbati wulgo *Setterday* . . . cum publico foro inibi tenendo annuatim . . . wulgo vocato *Sanct Kathernis Day* . . . omnes et singulas ecclesias parochiales de Ebdie Auchtermuchtie Creiche Collessie Eglismagirgill Dundie Fintrie Inuerrurie Monkegie Logydornoche Culsalmount Insche Kynnauchmount Christiskirk Auldleslie et Premna . . . unacum aduocatione donatione et jure patronatus . . , prefatarum ecclesiarum . . . Nos . . . ereximus . . . rectoriam seu personagium in qualibet ecclesia predicta . . . pro quorum rectorum honesto e

rationabili sustentatione . . . dedimus mansionem et glebam proprie pertinentes ad quamlibet dictarum ecclesiarum . . . necnon annua stipendia subscripta . . . soluenda . . . per prefatum Patricium Leslie heredes suos et assignatos predictos annuatim in futurum de annuis deuoriis decimarum garbalium et aliorum reddituum prenominatarum ecclesiarum . . . videlicet minstro seu rectori ecclesie parochialis de Ebdie . . . annuum stipendium sexdecem bollarum farine auenatice wulgo *teind ait meill* quatuor bollarum decimalis ordei centum librarum monete cum minimis decimis vicarie totius parochie de Ebdie . . . saluis tamen . . . prefato Patricio suisque heredibus pecunia agnis et lana dicte vicarie . . . Et lectori ecclesie de Newburgh qui erat magister scole grammaticalis dicti burgi eiusque successoribus quadraginta mercas monete regni nostri Item ministro seu rectori ecclesie de Auchtermuchty eiusque successoribus sexdecem bollas farine auenatice decimalis quatuor bollas ordei decimalis et centum libras monete Item ministro seu rectori ecclesie parochialis de Creiche eiusque successoribus sexdecem bollas prefate farrine quatuor bollas predicti ordei et centum libras monete Item ministro seu rectori ecclesie parochialis de Collessie sexdecem bollas predicte farrine quatuor bollas ordei et centum libras monete Item quia nulla vnquam erat functio ad ecclesiam de Eglismagirgill sed ab antiquo fuit capellanus qui cultum divinum in capella de Eglismagirgill adminstrauit et inde est nulla ecclesia parochialis nos igitur . . . dedimus . . . potestatem et commissionem dicto Patricio Leslie suisque prescriptis lectorem in futurum ad dictam ecclesiam seu capellam nominandi et presentandi qui habebit in annuo stipendio quadraginta mercas monete Item ministro seu rectori ecclesie parochialis de Dundie suisque successoribus tricentas mercas monete Item ministro seu rectori ecclesie parochialis de Fintrie eiusque successoribus centum libras monete cum minutis decimis vicariis dicte parochie . . . Item ministro seu rectori ecclesie parochialis de Inuerurie eiusque successoribus centum mercas monete cum minutis decimis vicariis suprascriptis parochiarum de Inuerrurie et Monkegi

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qui ideo curam ad ecclesiam de Monkegi imposterum seruire tenebuntur quia ecclesia eiusdem est et fuit pendiculum tantum parochie de Inuerrurie et eidem contigue jacet Item ministro seu rectori ecclesie parochialis de Logydurnocht que inde transtulitur ad capellam de Garioche suisque successoribus centum mercas monete cum minutis decimis vicariis suprascriptis dicte parochie Item ministro seu rectori ecclesie parochialis de Culsalmount suisque successoribus centum mercas monete cum minutis decimis vicariis prefate parochie Item ministro seu rectori ecclesie parochialis de Insche suisque successoribus octuaginta libras monete cum prefatis minutis decimis dicti parochie Item ministro seu rectori ecclesie parochialis de Kynnathmount suisque successoribus qui eam curam divinam ecclesie de Christiskirk seruire tenebuntur quia eadem est pendiculum tantum ecclesie parochialis de Kynnathmount centum mercas monete cum prefatis minutis decimis vicariis parochiarum de Kynnathmount et Christiskirk Item ministro seu rectori ecclesie parochialis de Auldleslie suisque successoribus centum mercas monete cum prefatis minutis decimis vicariis parochie eiusdem Item ministro seu rectori ecclesie parochialis de Premna suisque successoribus quadraginta libras monete et dictas minutas decimas parochie eiusdem . . . Insuper nos . . . creamus . . . prefatum maneriem seu manerei locum de Lundoris domos hortos et alia predicta . . . in vnum integrum et liberum temporale dominium et baroniam prefato Patricio Leslie heredibus suis masculis et assignatis predictis inde nuncupandum et in futurum nuncupaturum Dominium et Baroniam de Lundoris dantes et concedentes dicto Patricio Leslie suisque prescriptis titulum honorem ordinem et statum liberi Baronis et Domini nostri Parliamenti vocandi et intitulandi Dominos de Lundoris imperpetuum . . . Tenenda et habenda . . . de nobis et successoribus nostris in feudifirma hereditate baronia et regalitate imperpetuum . . . Reddendo inde annuatim . . . pro dicto maneriei loco . . . et pro omnibus prenominatis ecclesiis . . . et pro dicto libero dominio . . . seruicium equitis aurati et vnum

denarium monete . . . nomine albefirme si petatur tantum Et pro dicto burgo de Newburgh . . . seruicium liberi burgi baronie et regalitatis cum quinque libris nomine annui redditus tantum Necnon soluendo annuatim nobis et successoribus nostris . . . pro villa et terris de Grange . . . sexaginta octo libras monete . . . sexdecem denarios pro qualibet pultrea nonaginta sex pultrearum triginta duos denarios pro quolibet capone sexaginta quatuor caponum cum pasturagio arreragio carreagio et debitis seruitiis vsitatis . . . Item pro villa et terras de Berriehoill . . . videlicet pro vno aratro eiusdem occupato per Alexandrum Johnestoun quinque libras duodecem solidos octo capones duodecem gallinas bollam ordei wulgo *multir beir* bollam farine auenatice wulgo *multir meill* . . . et pro reliquo dictarum terrarum et ville de Berriehill extendente ad tria arratra viginti quinque libras decem solidos monete Item pro villa et terris de Ormstoune quindecem libras duodecem solidos et octo denarios monete Pro villa et terris de Haltounhill quatuordecem libras octo solidos et octo denarios Pro villa et terras de Lumquhat decem libras septemdecem solidos et octo denarios Pro villa et terris de Cluney Eister sexdecem libras sex solidos et octo denarios Pro Wodheid Southwod et Eistwood sexdecem libras vitulum agnum octo capones et duodecem pultreas Pro brasina de Grange septemdecem solidos Pro Elayis eiusdem includente Westmedow Hillok Saltgirs hortum horreum horrei *bowbuttis reiddis* et *hauchis* octodecem libras quindecem solidos et octo denarios Pro Brodlandis viginti octo libras Pro Westwood cum cunicularíis decem libras Pro piscatione super aquam de Tay cum libertate cymbę wulgo *ane ferriebott* Saltinsche Reidinsche Knowinsche Salgirs Reidhillok Park Litillhillok Insches cum pomeriis de Lundoris extra precinctum centum libras Pro parvo prato vocato *Kingis medow* jacente ad infimam partem de Parkhill quadraginta solidos Pro Durieland de Creichie quadraginta solidos Pro tofta de Collessie quadraginta sex solidos Pro tofta de Auld Lundoiris octo solidos et octo denarios Pro tofta de Killoche decem solidos sex gallinas duodecem equi onera wulgo *laidis* glebarum

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Pro tofta et brasina de Auchtermuchtie viginti quatuor solidos pro horeis et horreorum hortis eorundem Collessie Creiche et reliquarum toftarum predictarum sex solidos et octo denarios Pro Craigmylne et aridis multuris de Kynnaird Segie et croftis eiusdem triginta nouem libras Pro Craigend et Kigishoill quadraginta duos solidos Pro Cairtward duas bollas farine auenatice duas bollas ordei Pro Woodroof Threpland cum Monthe et Monasterii quadraginta bollas ordei wulgo *farme beir* Pro Marycroft quadraginta duos solidos Pro Almerycruik sex libras tresdecem solidos et quatuor denarios Pro tribus acris terre sub silua quatuor libras et quatuor solidos Pro Croftdyik quinque libras quatuor solidos Pro terris ecclesiasticis de Ebdie quinquaginta tres solidos et quatuor denarios Pro quinque tenementis terre in Sancto Andrea decem libras sexdecem solidos et octo denarios Pro tenemento in Falkland quadraginta solidos cum seruicio vsitato et consueto Pro acris de Newburghe vocatis *Hauche* quadraginta libras tredecem solidos et quatuor denarios Pro Monkismos cum omnibus suis priuilegiis quinquaginta solidos Pro acris de Westmedow sub Newburghe quatuordecem libras tredecem solidos et quatuor denarios Item pro dictis terris de Beny et Cathkin in baronia de Feddellis decem libras tredecem solidos et quatuor denarios Pro Wester Feddellis viginti sex libras sex solidos et octo denarios viginti quatuor capones viginti quatuor pultrias quatuor petras butiri . . . Pro molendino de Feddellis octo libras sex capones sex galinas . . . Pro Eister Feddellis viginti septem libras sexdecem denarios . . . Item pro terris de Eglismagirgill cum maneriei loco hortis columbariis et molendino eiusdem nonaginta octo marcas quatuor solidos et quatuor denarios cum brasina et toftis eiusdem triginta solidos Pro tribus tenementis in Perthe sexdecem libras sex solidos et octo denarios Item pro terris de Balmaw et Newtyle in Angus septemdecem libras octo solidos triginta sex capones . . . Pro terris de Hilend quadraginta quatuor solidos sex capones Pro Hiltoune et Miltoune de Crags Claypottis et Ferrietoune cum albis piscationibus in aqua de Tay custumis deuoriis et seruitiis

eorundem triginta septem libras quadraginta octo capones Pro terris de Ardoche sex libras tredecem solidos et quatuor denarios Pro terris ecclesiasticis de Dundie siue crofta terre vocata terra vicaria quatuordecem solidos Pro dictis omnibus tenementis in Dundie bothis et eorundem pertinentiis vnum et viginti libras Pro horreo vstrina et horto horrei vocato *Abottisharne* in Dundie septem solidos Item pro terris de Halwitstounes Hilend Fischerhill Littellwitstounes cum suis pertinentiis triginta quatuor libras quindecem solidos et sex denarios duodecem capones triginta sex pultreas sex bollas avenarum wulgo *cane aittis* . . . Pro terris de Nether Witstounes Pitcareis Pittamone cum molendino Mylnetoune astrictis multuris et brasinis viginti novem libras duos solidos et octo denarios . . . Pro terris de Marcharie et Scottistoune cum terris officiariis rubris et albis piscationibus super mare et aquam borealem de Ask viginti duas libras septemdecem solidos et sex denarios Item pro terris de Craigtoune ex baronia de Wranghame tredecem libras sex solidos et octo denarios Pro terris de Kirkhill decem marcas et bollam auenarum wulgo *custome aittis* Pro Mostoun quadraginta solidos Item pro villa et terris de Chrystiskirk sexdecem libras quatuor solidos et octo denarios Item pro molendino de Leslie viginti sex solidos et octo denarios Pro terris ecclesiasticis de Auld Leslie sex solidos et octo denarios Pro terris de Largie tres libras sex solidos et octo denarios cum debito seruicio Pro Newtoune et Wranghame cum molendino et warda eiusdem sexaginta sex libras tredecem solidos et quatuor denarios Pro Kirktoune de Culsalmount octo libras quatuor solidos et sex denarios Pro Polquhit viginti quatuor libras quinque solidos quatuor denarios Pro Ledinghame et Williamstoune cum molendino et brasina quinquaginta quinque libras sex solidos octo denarios Pro Malingsyide viginti octo libras novem solidos et octo denarios pro Flendiris viginti quatuor libras sex solidos Pro Logydornocht et brasina eiusdem viginti libras octodecem solidos cum bolla auenarum wulgo *kane aittis* Pro Etherlik Kirktoune de Insche molendino et brasina eiusdem tredecem libras decem solidos Pro Kirk-

APPENDIX VI.

toune de Premna quatuor libras tredecem solidos et quatuor denarios Pro Tullymorgoune cum toftis croftis custumis et pertinentiis sexdecem libras cum arreagiis carreagiis custumis et debitis seruitiis . . . prenominatarum terrarum vsitatis et consuetis Pro terris ecclesiasticis de Kynnathmount Christiskirk Insche Premna Culsalmount Logydornocht et terris capellanariis de Garioche viginti solidos Item pro Haltoune Fintrie cum maneriei loco hortis pomeriis silua de Garvok et eorundem pertinentiis Fosterissait Wester Fintrie Langcruik et singulis suis pertinentiis centum et viginti libras Pro terris de Logyfintrie octo libras Pro Mylnetoune de Fyntrie cum molendino et terris molendinariis eiusdem septem libras sex solidos et octo denarios Pro Balbithene cum piscatione in Done Heddirweik et Craigforthie viginti tres libras sex solidos octo denarios Pro Badiforrie et piscationibus in Done quinque libras septem solidos decem denarios Pro Monkegi et Westbynis novemdecem libras tredecem solidos quatuor denarios Pro Kilmukis viginti duas libras Pro Tullichery sex libras tredecem solidos quatuor denarios Pro Wester Disblair viginti quatuor libras Pro Eister Disblair et Cavillismylne et Middell Disblair quadraginta duas libras Pro Smedyhous toftis croftis hortis Smedycroft Ailhouscroft prato vocato Insche Deracroft duabus brasinis de Fintrie et tofta de Kilmukis ac salmonum piscatione in aqua de Done octo libras quinque solidos quatuor denarios Pro domo hortulo et cymbe piscatione apud Futtey septem solidos cum arreagiis carreagiis et debitis seruitiis vsitatis et consuetis omnium prenominatarum terrarum Pro terris ecclesiasticis de Fintrey Inuerrurie et Monkegie septem solidos et sex denarios Ac in augmentationem rentalis . . . sex solidos et octo denarios . . . Ac heredes et assignati dicti Patricii Leslie duplicando feudifirmas deuorias primo anno cuiuslibet eorum introitus ad dictas terras . . . Necnon . . . disponimus prefato Patricio Leslie heredibus suis masculis et assignatis de dictis feudifirmis deuoriis et annuis redditibus annuatim summam quingentarum mercarum monete regni nostri vnacum viginti quatuor bollas ordei et duabus bollis farine auenatice

cum omnibus et singulis dictis caponibus pultreis canis butiri casei et victualium arreagiis carreagiis cum omnibus aliis seruiciis per presentes debitis . . . In cuius rei testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus . . . Apud burgum nostrum de Perthe vltimo die mensis Martii Anno Domini millesimo sexcentesimo et regni nostri tricesimo tertio. 1600.

Antiquities of Shires of Aberdeen and Banff, vol. iv. pp. 504-513. From the *Registrum Magni Sigilli*, lib. xlii. No. 189.

END OF VOL. II.

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